



W.A.No. 18111 of 2

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2025

CORAM:

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No. 18111 of 2025
and
W.M.P.No. 20266 of 2025

Mr.Vinod Kumar

... Petitioner

Vs.

1.The Inspector General of Registration,
Pattinampakkam, No.100,
Santhome High Road, Chennai – 600 028.

2.The Sub-Registrar,
Kundrathur,
NSK Avenue, Manickam Road,
Kundrathur, Chennai – 600069.

3.Ms.Mahalakshmi PKRR

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the 2nd respondent in RFL/Kundrathur/15/2025, dated 05.05.2025 and quash the same as illegal, arbitrary and non-est in law and consequently, direct the 2nd respondent to register the sale deed dated 05.05.2025 and release the registered sale deed to the petitioner within the time stipulated.



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For Petitioner : Mr.B.Vijay

For Respondents : Mr.Abishek Murthy

Government Advocate for R1 & R2

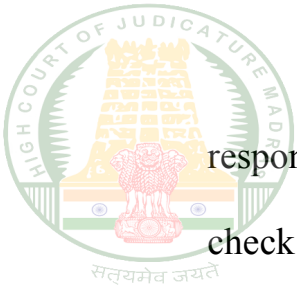
Mr.K.Madhan for R3

ORDER

This Writ Petition has been filed challenging the refusal check slip dated 05.05.2025 whereby, the sale deed presented for registration in respect of the property comprised in Survey No.236/3A1C, measuring an extent of 3100 Sq.ft. situated at Porur Village, Maduravoyal Taluk, Chennai was refused registration on the premise that the 3rd respondent, who granted Power of Attorney in favour of the petitioner submitted a protest petition.

2. It is submitted by the learned counsel for the petitioner that 3rd respondent / Principal, who is the owner of the subject property has executed a Power of Attorney vide Document No.18802 of 2024 dated 18.10.2024 in favour of the petitioner. The petitioner on the strength of power of attorney, had sold subject property for a sale consideration of Rs.1,74,18,900/- and the same has been transferred into bank account of the 3rd respondent / Principal. While so, when the petitioner presented the sale deed for registration, the 2nd

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respondent refused to register the same by issuing the impugned refusal check slip dated 05.05.2025 on the premise that the 3rd respondent / Principal has submitted a Protest Petition objecting to registration. Hence, the present Writ Petition.

3. Heard Mr.B.Vijay, learned counsel appearing for the petitioner, Mr.Abhishek Murthy, learned Government Advocate appearing for R1 & R2 and Mr.K.Madhan, learned counsel for the 3rd respondent.

4. The learned counsel for petitioner would submit that the Power of Attorney executed by the Principal in favour of the petitioner is still in force and without considering the same and conducting any enquiry on the protest application by providing an opportunity of hearing to the petitioner, 2nd respondent issued impugned refusal check slip. The learned counsel would further submit that when the Power of attorney is in force, the 2nd respondent cannot refuse registration and the refusal cheque slip issued by the 2nd respondent is without jurisdiction and is liable to be set aside.

5. In this regard, the learned counsel appearing for the petitioner would place reliance on the order of this Court passed in ***W.P.No.14512 of***
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2025 dated **30.04.2025** wherein, this Court held that the sale deed presented for registration has to be registered when the Power of Attorney is in force / alive on the date of presentation of the sale deed.

6. At the outset, the learned Government Advocate appearing on behalf of the respondents would submit that the impugned refusal check slip came to be issued based on a protest letter lodged by the Principal / 3rd respondent. He further submits that petitioner may represent the Sale Deed along with relevant documents, documentary evidence and his explanation/response to the refusal check slip and the same will be considered and the Sale Deed would be registered, if it is otherwise in order, which was agreed to by the learned counsel for petitioner.

7. In view thereof, this Court finds merit in this writ petition and thus, the impugned order passed by the 2nd respondent vide Refusal Check Slip No.RFL/Kundrathur/15/2025 dated 05.05.2025, is hereby set aside. It is left open to the petitioner to represent the Sale Deed along with the relevant documentary evidence and response to the reasons set out in the impugned refusal check slip. If any such representation is made along with response and relevant documentary evidence, the 2nd respondent shall issue notice to

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the petitioner and 3rd respondent and conduct enquiry. The 2nd respondent shall thereafter register the Sale Deed, if it is otherwise in order. If for any reason, registration of the Sale Deed is sought to be refused, the respondent shall issue refusal slip / order assigning appropriate reasons.

8. In result, this Writ Petition stands disposed of in the above terms.

No costs. Consequently, connected miscellaneous petition is closed.

21.08.2025

kkn

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes / No

To:-

1.The Inspector General of Registration,
Pattinampakkam, No.100,

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Santhome High Road, Chennai – 600 028.

2. The Sub-Registrar,
Kundrathur,
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MOHAMMED SHAFFIQ, J.

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