



W.P.No.23327 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.23327 of 2025

1. K.S.Raghunathan
- 2.R. Sukanya
- 3.Guru Pada Bhooshan Raghunathan
- 4.R. Raman

... Petitioner(s)

Vs.

- 1.The Inspector General of Registration,
Santhome, Chennai - 600 004.
- 2.The District Registrar,
South Chennai.
- 3.The Sub Registrar,
Virugambakkam.
- 4.M/s.Atithyaa Homes,
a Partnership Firm,
No.4 "Siva Flats",
Balakrishnan Lane,
Off Balakrishna Road,
Thiruvanmiyur,
Chennai - 600 004
rep. by its Partner
Mrs.K.R.Lakshmi

...Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Certiorarified Mandamus, by calling for the



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records relating to the impugned proceedings in Refusal Slip No.RFL/
/Virugambakkam/8/2025 dated 11.06.2025, issued by the 3rd respondent
herein and quash the same and consequently direct the 3rd respondent to
register the General Power of Attorney executed by the Petitioners dated
11.06.2025 at the office of the 3rd Respondent.

For Petitioner(s) : Mr.K.V.Babu

For Respondent(s) : Mr.Abishek Murthy for R1 to R3
Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is
taken up for final disposal at the admission stage itself. In view of the
order that this Court proposes to pass and also the limited relief that is
sought to be granted, notice to 4th respondent is dispensed with.

2.The present writ petition is filed challenging the refusal slip
dated 11.06.2025 whereby the 3rd respondent refused to register the
General Power of Attorney executed by the petitioners in favour of 4th
respondent on the premise that life interest is still retained by the
petitioners 1 and 2 and thus registration could be carried out only if the
petitioners 1 and 2 releases the life interest.



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3.It is pointed out by the learned counsel for the petitioners that this is in excess of jurisdiction of the respondent authority. In any view, there is also a clause in the Settlement Deed which provides for manner of entering into a development agreement. The relevant portion of General Power of Attorney is extracted hereunder:

“In the event of the Schedule mentioned property requires to be developed, the SETTLORS hereby agree to join the said development by executing necessary Power of Attorney in their capacity as life interest holder, along with their sons, the SETTLERS herein, the remainder interest holders for such development.”

4.It is submitted by the learned Government Advocate for the respondents that General Power of Attorney executed by the petitioners may be represented and on such representation, the same would be registered if it is otherwise in order. If for any reason, there is a need for refusal of registration of the General Power of Attorney, they would do so after assigning reason, which was agreed to by the learned counsel for the petitioner.



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No costs. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

01.07.2025

Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
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To
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MOHAMMED SHAFFIQ, J.

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