



W.P.No.25002 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.25002 of 2025

and

WMP No.28180 of 2025

1.Mr.Ravikumar

2.Mr.Manickam

: Petitioners

Vs.

1.The Sub-Registrar,
SRO Office, Nallur,
Tiruppur.

2.Mrs.Prabhavathi

3.The Revenue Divisional Officer,
Tiruppur.

: Respondents

(R3 Suo motu impleaded vide order
dated 11.07.2025 made in
WP.No.25002/2025 by MSQJ)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus call for the records culminating in Refusal Check Sips RFL/Nallur_Tiruppur/24/2025 & RFL/Nallur_Tiruppur/25/2025 dated 27/06/2025 and quash the same as illegal and consequently direct the first respondent to register the two General Power of Attorney documents and subsequent documents thereon and pass orders.



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For Petitioner : Mr.M.Aravind Subramaniam
Senior Advocate
for Gopinath R

For Respondents : Mr.U.Baranidharan
Special Government Pleader
for R1

Mr.P.Sathish
Additional Government Pleader
for the newly impleaded respondent
for R3

ORDER

In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the Respondent No.2 is dispensed with.

2. The present writ petition is filed challenging the impugned refusal slips dated 27.06.2025, whereby two General Powers of Attorney which were sought to be registered by the petitioners in favour of Mrs.Lalitha for the property comprised in S.Nos.654/1 and 654/3A was refused registration on the premise that there is an



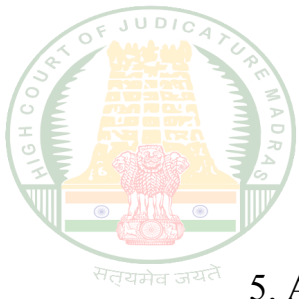
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entry in the encumbrance in respect of the property, referring to Doc.No.323/1983

which still stands unrescinded.

3. Learned Senior Advocate for the petitioners would submit the impugned refusal slips suffers from gross non application of mind inasmuch as the above enquiry into the right or title of the petitioners may be wholly irrelevant for the purposes of registering power of attorney inasmuch as the power of attorney is only to enable someone to act on behalf of the executor and does not confer any title. Furthermore, even the survey number in the refusal slip has been wrongly mentioned as survey No.654/3 while the petitioner's property is comprised in Survey No.654/3A. Therefore, the impugned orders have been made without application of mind.

4. This Court of the view that the enquiry which has been made resulting in the refusal slips was not even necessary for registration of power of attorney. The impugned proceedings thus stands vitiated.

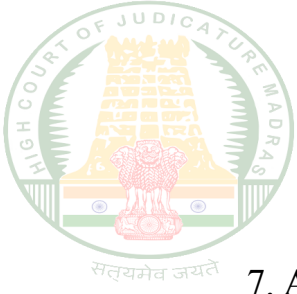


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5. At the outset, it was submitted by the learned Special Government Pleader that if the said two powers of attorney dated 27.06.2025 are presented by petitioner before the first respondent, the same would be registered, if it is otherwise in order. If, for any reason, the Sub Registrar is of the view that the registration ought to be refused, he would do so after assigning reasons, which was agreed to by the learned counsel for the petitioner.

6. In the light of the above discussion, the impugned refusal check slips issued by the first respondent dated 27.06.2025 are hereby set aside. It is open to the petitioners to re-present the two powers of attorney dated 27.06.2025 before the first respondent. On such re-presentation, the first respondent shall register the said two powers of attorney, if it is otherwise in order, in accordance with law. If for any reason, the first respondent refuses to register the power of attorney, he shall assign appropriate reasons in the refusal slips.



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7. Accordingly, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.08.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To

1.The Sub-Registrar,
SRO Office, Nallur,
Tiruppur.

2.Mrs.Prabhavathi

3.The Revenue Divisional Officer,
Tiruppur.



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MOHAMMED SHAFFIQ, J.

(mrn)

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