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WP No. 1999 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 1999 of 2025

Meera Zulaiha

... Petitioner

Vs

1. The Joint Sub-Registrar No. II,
Registration Department,
Thousand Lights, Chennai.

2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai- 600001

... Repondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Certiorarified Mandamus, calling for the records relating to the Impugned Refusal Check Slip bearing No.RFL/Chennai Central Joint II/57/2024 dated 13.11.2024 on the file of the 1st respondent herein, quash the same and consequently direct the 1st respondent herein to register the General Power of Attorney dated 08.10.2024 executed by the petitioner to and in favour of her father Mohamed Hassan within a stipulated period.



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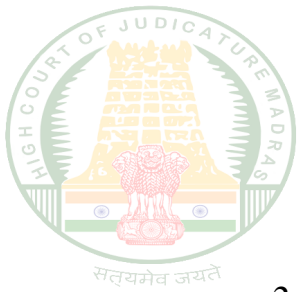
For Petitioner : Mr.K. Govi Ganesan
For Respondent 1 : Mrs. C. Meera Arumugam
Special Government Pleader

ORDER

The Writ Petition is filed to quash the impugned Refusal Check slip bearing No.RFL/Chennai Central Joint II/57/2024 dated 13.11.2024 and consequently direct the 1st respondent herein to register the General Power of Attorney dated 08.10.2024 in favour of the petitioner's father, Mohamed Hassan.

2. The reason for the refusal is that there is an objection from the Waqf Board.

3. The impugned order cannot be sustained on account of the fact that earlier two documents, namely, Settlement Deed and Sale Deed had been executed without reference to the aforesaid objection. That apart except for lodging an objection there is no document filed to show that the property is a wakf property.



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3. In the light of the Judgement passed by this Court in ***Ramayee - Vs - The Sub Registrar and others - (2020 (6) CTC 697)***, the impugned order cannot be sustained on account of the fact that the two documents, namely, Settlement Deed and Sale Deed had already been executed.

4. In the above circumstances, the Writ Petition is allowed and impugned order dated 13.11.2024 is set aside. The petitioner is directed to represent the General Power of Attorney along with a copy of the order of this Court before the 1st respondent within a period of two weeks from the date of receipt of a copy of this order and on such representation, the document shall be registered. There shall be no order as to costs.

28.01.2025

Index: Yes/No

Speaking order/non-speaking order

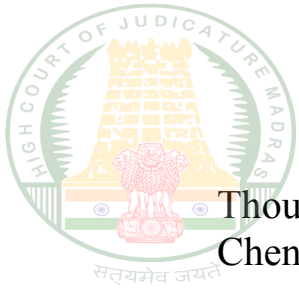
Neutral Citation: Yes/No

srn

To,

1. The Joint Sub-Registrar No. II,
Registration Department,

<https://www.mhc.tn.gov.in/judis>



Thousand Lights,
Chennai.

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P.T.ASHA, J.,

srn

2. The Chief Executive Offier,
Tamil Nadu Waqf Board,
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