



W.P.No.40384 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.10.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.40384 of 2025

K.Mubarak Basha

... Petitioner

Vs.

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

2. The District Registrar,
Krishnagiri District,
Registrar Offices Campus,
Krishnagiri – 635 001.

3. The Joint Sub-Registrar-II,
District Registrar Office Campus,
Krishnagiri – 635 001.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to register the sale deed dated 02.09.2025 presented by the petitioner for registration based on the General Power of Attorney No.4264/2018



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without insistence of Life Certificate of the Principal as the Power of Attorney is coupled with interest.

For Petitioner : Mr.B.Ram Prasath

For Respondents : Mr.Abishek Murthy,
Government Advocate

ORDER

The relief sought for in this writ petition is to direct the third respondent to register the sale deed dated 02.09.2025 presented by the petitioner for registration based on the General Power of Attorney No.4264/2018 without insistence of Life Certificate of the Principal as the Power of Attorney is coupled with interest.

2. Mr.Abishek Murthy, learned Government Advocate takes notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

3. Learned counsel for the petitioner submitted that one Mr.S.Mohamed Sadiq agreed to sell the property to an extent of 2 acres and 92 cents comprised in S.Nos.74A, 74B, 75, 77 & 84B at Bayanpalli



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Village, Krishnagiri District and Taluk to the petitioner after receiving a sum of Rs.20,00,000/- towards initial advance out of Rs.1,90,00,000/- and executed a Power of Attorney pertaining to the aforesaid property. The said Power of Attorney comes under the ambit of Couple with Interest under Section 202 of the Indian Contract Act, 1872. Based on the General Power of Attorney, the petitioner executed a sale agreement in favour of two private individuals viz., Mr.K.Ravi and Mr.R.Vinoth Kumar and received a sum of Rs.30,00,000/- as advance. This being the case, the foresaid Mr.S.Mohamed Sadiq, unilaterally cancelled the Power of Attorney and registered the same before the first respondent and created an encumbrance “Cancelled”.

3.1. Challenging the aforesaid unilateral cancellation, the petitioner filed a petition on 24.09.2020 to cancel the same. However, the respondents disposed the same insisting the petitioner to approach the concern Court. Pursuant thereto, the subsequent purchasers viz., Mr.K.Ravi and Mr.R.Vinoth Kumar filed O.S.No.194/2022 before the Principal District Court, Krishnagiri for the relief of specific



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performance and also filed another petition 88/2022, before the third respondent to restrain the petitioner from executing any sale deed pertaining to the above property, which is still pending.

3.2. Learned counsel for the petitioner would further submit that under these circumstances, the petitioner executed a sale deed dated 02.09.2025 and presented the same before the third respondent for registration. However, without issuing the refusal check slip, the third respondent refused to register the said sale deed, citing the reason that the petitioner has not produced the life certificate of the Principal. Hence, the petitioner has come forward with the present writ petition.

4. Learned Government Advocate appearing for the respondents submitted that unless and otherwise the petitioner has produced the life certificate, the respondents are not in a position to register the sale deed dated 02.09.2025, which was presented by the petitioner.

5. Heard the learned counsel on either side and perused the



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materials available on record.

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6. As rightly contended by the learned Government Advocate appearing for the respondents, due to non-availability of life certificate of the Principal, the respondents are not in a position to register the sale deed dated 02.09.2025. The respondents herein are supposed to pass order in regard to registration of the sale deed or return the same. However, in the case on hand, the respondents neither returned the sale deed nor passed any orders. Such being the case, this Court directs the respondents to either return the sale deed or pass any appropriate order in regard to the registration of the sale deed dated 02.09.2025.

With the aforesaid direction, this writ petition stands disposed of.

No costs.

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vm
Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No

KRISHNAN RAMASAMY.J.,

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To

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