



WEB COPY

W.P. No.44219 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **18.11.2025**

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.44219 of 2025

S.Gopinath

.. Petitioner

Vs.

1. The District Registrar,
Office Of The District Registrar,
Cuddalore District.

2.The Sub-Registrar,
Office Of The Sub Registrar,
Mangalampettai,
Cuddalore District.

3.S.Mahalingam

4.S.Kalaimani

5.Suresh



WEB COPY



W.P. No.44219 of 2025

...Respondents

Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to forthwith consider and pass appropriate orders on the petitioner's representation dated 16.08.2025, seeking cancellation of the illegal registration of the General Power of Attorney dated 14.10.2025, registered as Document No.3957/2025 on the file of Sub Registrar, Mangalampettai executed in favour of the 5th respondent.

For Petitioner : Mr.D.Edwin Yovan Raj
For Respondents : Mr.M.S.Arasakumar (R1 and R2)
Government Advocate

ORDER

Mr.M.S.Arasakumar, learned Government Advocate takes notice on behalf of the respondents 1 and 2. With the consent of both sides, the Writ Petition itself is taken up for final disposal at the stage of admission itself.



W.P. No.44219 of 2025

2. This Writ Petition has been filed directing the respondents 1 and 2

to forthwith consider and pass appropriate orders on the petitioner's representation dated 16.08.2025, seeking cancellation of the illegal registration of the General Power of Attorney dated 14.10.2025, registered as Document No.3957/2025 on the file of Sub Registrar, executed in favour of the 5th respondent.

3. The facts giving rise to the writ petition, in a nutshell are as follows:

(i) The petitioner purchased two acres of land comprised in S.No.256/4, E.Sathanur Village, Ulundurpettai Taluk from the respondents 3 and 4 on 13.07.2015, through a registered Power of Attorney executed by them in favour of the petitioner in Document No.1659/2015, after paying the full sale consideration. Acting under the said Power of Attorney, the



W.P. No.44219 of 2025

petitioner developed a residential layout named “Aswida Nagar”, developed

road facilities and sold about 43 plots to several bona fide purchasers. The

petitioner has also entered into various registered and unregistered

agreement of sale with other prospective purchasers. While so, nearly after

10 years, the respondents 3 and 4 without any notice or jurisdiction,

unilaterally executed a Deed of Cancellation on 10.12.2024 and the same

was registered as Document No.3654/2024 on the file of the 2nd respondent.

Challenging the aforesaid illegal cancellation of Power of Attorney, the

petitioner filed O.S.No.69 of 2025 before the District Munsif Court,

Ulundurpettai seeking declaration that the said cancellation deed is null and

void and for a permanent injunction restraining the defendants from

alienating or encumbering the property and the same is pending. During the

pendency of the same, the respondents 3 and 4 once again attempted to

execute another General Power of Attorney in favour of the 5th respondent in

respect of very same property. The 2nd respondent initially refused to



W.P. No.44219 of 2025

register the same, vide Refusal Check Slip dated 07.07.2025 citing the pendency of the civil proceedings.

(ii) Challenging the same, the respondents 3 and 4 filed Writ Petition before this Court and this Court vide order dated 14.08.2025 directed the 2nd respondent to consider the registration only after providing opportunity to both parties, including the petitioner. But the 2nd respondent proceeded to register the impugned Power of Attorney dated 14.10.2025, in favour of the 5th respondent. In this regard the petitioner submitted a representation on 16.08.2025 to the 1st respondent seeking cancellation of aforesaid illegal registration relating to the disputed property. As the same did not evoke response, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

3. The learned counsel appearing for the petitioner would submit that the 2nd respondent without providing an opportunity to the petitioner, as



W.P. No.44219 of 2025

directed by this Court in W.P.No.28315 of 2025 has registered the Power of

Attorney dated 14.10.2025. That apart, when the unilateral cancellation of Power of Attorney by the respondents 3 and 4 in favour of the petitioner is under challenge before the Civil Court, pending the same, the 2nd respondent has no jurisdiction to register the subsequent Power of Attorney executed by the respondents 3 and 4 in favour of the 5th respondent.

4. The learned Government Advocate appearing for the respondents 1 and 2 would submit that since the petitioner has already challenged the unilateral cancellation of the Power of Attorney dated 10.12.2024 before the District Munsif Court, Ulundurpettai and the same is pending, if the petitioner is aggrieved by the subsequent registration of Power of Attorney dated 14.10.2025, the remedy available to the petitioner is to approach the Civil Court, by challenging the same in the manner known to law, as the 2nd respondent has no power to cancel or invalidate the documents already



W.P. No.44219 of 2025

registered, in view of Judgment of this Court in *M.Kathirvel Vs. The*

Inspector General of Registration Department and others reported 2024

(4) CTC 769.

5. Heard both sides. Perused the records.

6. In the case on hand, challenging the unilateral cancellation of Power of Attorney executed in favour of the petitioner with respect to subject properties, the petitioner filed O.S.No.69 of 2025 before the District Munsif Court, Ulundurpettai and the same is pending. Therefore, the petitioner can very well challenge the subsequent registration of General Power of Attorney, executed in favour of the 5th respondent before the Civil Court. That apart as rightly contended by the learned Government Advocate appearing for the respondents 1 and 2, the 2nd respondent has no power to cancel or invalidate the documents already registered in view of the Division



W.P. No.44219 of 2025

Bench Judgment of this Court in the case of ***M.Kathirvel Vs. The Inspector***

General of Registration Department and others reported 2024 (4) CTC

769. Therefore, the right course available to the petitioner is to challenge the Power of Attorney 14.10.2025 before the appropriate Civil Court. It is not proper on the part of the petitioner to make representation before the respondents 1 and 2 seeking cancellation of General Power of Attorney dated 14.10.2025.

7. Such being the case, this Writ Petition filed by the petitioner is devoid of merits and is liable to be dismissed. Accordingly, the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

18.11.2025

arr

8/8



W.P. No.44219 of 2025

To

WEB COPY

1. The District Registrar,
Office Of The District Registrar,
Cuddalore District.

2. The Sub-Registrar,
Office Of The Sub Registrar,
Mangalampettai,
Cuddalore District.

KRISHNAN RAMASAMY, J.,



WEB COPY



W.P. No.44219 of 2025

arr

W.P.No.44219 of 2025

18.11.2025