



W.P.Nos.3775 & 3792 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.3775 & 3792 of 2019
and
W.M.P.Nos.4190, 4194 & 4202 of 2019

P.Kishore

... Petitioner in both WPs

Vs.

1.The Joint Sub Registrar – I,
Ootacamund,
K-9/3, Coonur Road,
Ooty – 643 001.

2.Lingammal

... Respondents in both WPs

Prayer in W.P.No.3775 of 2019 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned Deed of Revocation of Power of Attorney dated 09.10.2009 executed by the 2nd respondent and registered by the 1st respondent in Document No.168 of 2009 on the file of the 1st respondent and quash the same.

Prayer in W.P.No.3792 of 2019 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned Deed of Revocation of Power of Attorney dated 09.10.2009 executed by the 2nd respondent and



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registered by the 1st respondent in Document No.167 of 2009 on the file of the 1st respondent and quash the same.

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For Petitioner : Mr.S.R.Rajagopalan
(in both WPs) for M/s.R.Murugan
For Respondents : Mr.U.Baranidharan
(in both WPs) Special Government Pleader [R1]
Mr.R.Venkatajalapathy [R2]

COMMON ORDER

Since the issue involved involved in both the writ petitions is one and the same, with the consent of the learned counsel appearing for the parties, these writ petition were heard together and disposed of by way of this common order.

2. The case of the petitioner is that the 2nd respondent has executed the respective power of attorney in favour of the petitioner. By virtue of the same, the petitioner has executed 12 sale deeds for an extent of 3.84 acres. Whiles, an agreement for sale dated 06.06.2018 was entered into between the petitioner and a prospective buyer one Rajagopal Vasudevan. When the petitioner tried to register the said sale agreement, the 1st respondent did not allow the petitioner to register the same on the ground the respective power of attorney given by the 2nd respondent to the



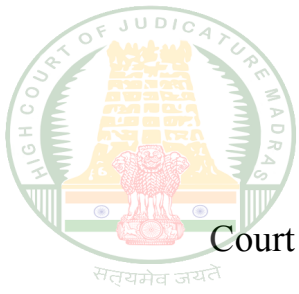
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petitioner have been unilaterally revoked vide impugned deeds of revocation of power of attorney, dated 09.10.2009. Challenging the same, the present writ petitions are filed by the petitioner.

3. The learned counsel appearing for the petitioner submits that during the pendency of these writ petitions, the very same petitioner has filed a complaint before the District Registrar, Nilgiris on 23.08.2021 for cancellation of the impugned deeds, which was challenged before this Court in these writ petitions. The said authority has dismissed the complaint on 30.12.2022 holding that the dispute between the parties is civil in nature and directed the parties to approach the competent Civil Court. Hence, he submitted that this Court may grant liberty to the petitioner to approach the competent Civil Court for appropriate remedy and the period pending before this Court may be excluded for the purpose of limitation.

4. On the above contentions, heard the learned respective counsel appearing for the respondents.

5. Admittedly, the issue that arises for consideration before this



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Court in these writ petitions and the issue before the District Registrar is amenable to the Civil jurisdiction. In view of the same and considering the limited request sought for by the learned counsel appearing for the petitioner, this Court, without interfering with the respective impugned deeds, grants liberty to the petitioner to approach the competent Civil Court for appropriate remedy and the period pending before this Court is excluded for the purpose of limitation. Further, the 2nd respondent is at liberty to canvass all the points before the Civil Court, including the plea of limitation prior to filing of these writ petitions.

6. Accordingly, these Writ Petitions are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

10.09.2025

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



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To
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M.DHANDAPANI, J.

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