



W.A.(MD)No.785 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.A.(MD)No.785 of 2025

P.K.Muruhaiyan

...Appellant

-Vs-

1.The District Registrar (Admin),
O/o.District Registrar,
Trichy District.

2.The Sub Registrar,
Sub Registrar Office,
Thiruvarumpur,
Trichy District.

3.Pappa

...Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent Act, to set aside the order of this Court made in W.P.(MD)No.2669 of 2025 dated 30.01.2025.

For Appellant : Mr.Jeremiah Gregory John

For R1 & R2 : Mr.P.T.Thiraviyam
Government Advocate



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JUDGMENT

WEB COPY (Judgment of the Court was made by **S.SRIMATHY, J.**)

This writ appeal is filed as against the order of this Court dated 30.01.2025 made in W.P.(MD)No.2669 of 2025.

2.The writ petition was filed challenging the refusal check slip issued by the second respondent refusing to register the general power of attorney executed in favour of the petitioner. The said writ petition was dismissed on the ground that the sale deed stood in the name of the principal of the petitioner was cancelled by the civil Court in a suit filed by one Rani. Challenging the same, the present writ appeal is filed.

3.The learned counsel for the appellant submits that the suit was filed against the dead person and the decree obtained by the said Rani became nullity. Hence, the decree obtained against a dead person cannot be executed. However, the learned Single Judge without considering this aspect has dismissed the writ petition.

4.The learned Government Advocate appearing for the official respondents submits that the refusal check slip was issued only based on the



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decree granted by the civil Court. Hence, the order of the writ Court need not be interfered.

5.Heard the learned counsel appearing on either side and perused the materials placed on record.

6.The only contention put forth by the appellant is that the decree was obtained as against a dead person and the same cannot be relied for dismissing the writ petition. Even assuming that the decree was obtained as against a dead person, the petitioner has not chosen to put forth the said contention before the learned Single Judge. He has taken such a plea only in this writ appeal. Hence, this Court is not inclined to entertain this writ appeal.

7.Accordingly, this writ appeal is dismissed. If the petitioner is really aggrieved, it is always open to him to redress the same before the competent civil Court by way of appropriate proceedings. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
27.03.2025

Index : Yes/No
Internet : Yes/No
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