



W.P.(MD)No.8522 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.03.2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD) No.8522 of 2025

S.Mohammed Abdul Khader

... Petitioner

VS.

1.The District Registrar,
District Registrar Office,
Tenkasi.

2.The Sub Registrar,
Sub Registrar Office,
Tenkasi.

3.T.Chithra

4.V.Latha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondent to consider the representation dated 08.03.2025 and consequently directing the 1st and 2nd respondent to cancel the General Power of Attorney document No.332/2022 on in Sub-Registrar office Tenkasi, Tenkasi District.

For Petitioner

:Mr.C.Nishanth Periyaarasu



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For R1 & R2 :Mr.R.Suresh Kumar
Additional Government Pleader

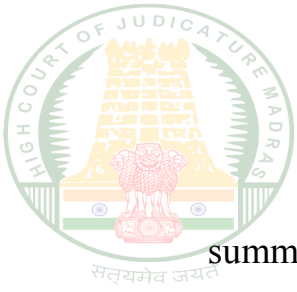
ORDER

The petitioner seeks for a Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 08.03.2025 and to direct them to cancel the general power of attorney Doc.No. 332/2022 on the file of Sub-Registrar Office, Tenkasi.

2.The petitioner states that the respondents 3 and 4 executed a deed of power of attorney appointing the petitioner as their power agent. The power empowered the petitioner to deal with the property situated in S.Nos.111/2E, 2/421 and 3/485 and 111/2E, 2/421 and 3/485 in Flat Nos. 21 and 20 respectively of Uthandi Village, East Costal Road, Neelankarai. The petitioner was given to understand that the respondents 3 and 4 are the owners of the property.

3.While the petitioner was attempting to deal with the property as an agent, he was summoned by the Inspector of Police, Team-IV, Central Crime Branch, Tambaram City Police, Sollinganallur, Chennai. The

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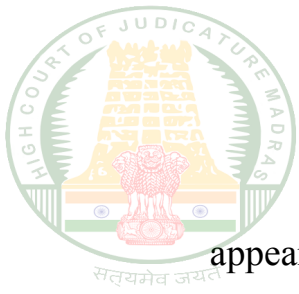


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summon related to a complaint said to have been lodged by one Chitra, alleging that the principal of the writ petitioner, Chitra, had misrepresented and impersonated herself as the owner of the property, when the complainant was the actual owner. The petitioner informed the Police Authorities that he is only a power agent. The police instructed him to cancel the power of attorney. The petitioner sent notices to the respondents 3 and 4, however all the notices were returned as 'addressee not found'. Being left with no other alternative, the petitioner approached the second respondent for registration of the cancellation of the power of attorney. The second respondent has refused to register the cancellation document. Hence, this writ petition.

4.I heard Mr.C.Nishanth Periyararasu learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Additional Government Pleader for the respondents 1 and 2.

5.The narration of the facts shows that the petitioner was a power agent and now, on account of the police complaint lodged against him, wants to relinquish that role. The second respondent/Sub Registrar



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appears to be under the impression that a power agent cannot unilaterally terminate the agency.

6.In terms of Section 201 of the Indian Contract Act, 1872, an agency can be terminated either by the principal or by the agent. All that is required is that either the principal or the agent must inform the other of the intention to cancel the power of attorney. In the present case, a lawyer's notice was also issued by the petitioner to the respondents 3 and 4. The lawyer's notice was returned as 'no such person'. It shows that the petitioner has taken all the efforts possible to inform the respondents 3 and 4 that he is not inclined to act as their agent any more.

7.In the light of the above discussion, since the substantive law, namely the Indian Contract Act, 1872, permits a person to unilaterally relinquish the role as an agent, there shall be a direction to the respondents 1 and 2 to register the cancellation of power of attorney deed in Doc.No.332 of 2022 on the file of the second respondent within a period of two weeks from the date of presentation of the same, without insisting the appearance of the respondents 3 and 4 herein.



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WEB COPY 8. With the aforesaid directions, the Writ Petition stands ordered.

No costs.

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

27.03.2025

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To

1. The District Registrar,
District Registrar Office,
Tenkasi.

2. The Sub Registrar,
Sub Registrar Office,
Tenkasi.



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V. LAKSHMINARAYANAN, J.

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