



W.P(MD)No.13229 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13229 of 2025

K.P.Muniyasamy

... Petitioner

Vs.

1.The District Registrar,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Registrar,
Velipattinam Sub Registrar Office,
Ramanathapuram,
Ramanathapuram District.

3.Jothi Murugan

...Respondents

(R3 is suo motu impleaded vide Court order, dated 30.04.2025, in W.P.(MD)No. 13227 to 13229 of 2025)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to register the General Power of Attorney Deed in Document No.TP/215720938/2025 presented on 05.04.2025 by the petitioner and other joint owners forthwith.

For Petitioner : Mr.K.Radhakrishnan

For R1 to R2 : Mr.D.Sasi Kumar
Special Government Pleader

For R3 : Mr.K.Navaneetharaja



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus to direct the 2nd respondent to register the General Power of Attorney Deed in Document No.TP/215720938/2025 presented on 05.04.2025 by the petitioner and other joint owners forthwith.

2. There are 4 children, ie., 3 daughters and 1 son. Without giving share to the daughters, the son has taken the entire portion which was questioned in a suit. Now, the petitioner, one of the legal heir of the daughter, is intended to execute a registered Power of Attorney and the same is objected by the third respondent.

3. The contention of the third respondent is that he is tracing the title through the son. He has a registered sale deed in his favor. The sale deed was put to challenge in the suit and the sale was set aside and declared as null and void in the suit. Against which the third respondent's vendor has preferred an appeal and the same is pending.

4. The above narrated facts would clearly indicate that there are 4 sharers in the said property. The total extent of the property is 1 acre 80 cents. If the 4 shares are divided among themselves, the 3 daughters will be entitled to 1



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acre 35 cents and the son will be entitled to 45 cents. The petitioner is trying to register the Power of Attorney based on the co-share which is being traced by the daughters. Therefore, there will not be any impediment if it is registered as undivided share, which the daughters are entitled to.

5. Therefore, the petitioner is directed to register the Power of Attorney by mentioning that the petitioner is entitled to only the undivided share in the said property. With this condition, the official respondents shall entertain the Power of Attorney and register it in accordance to law. The above observation is made to decide the issue raised in the present writ petition alone. It is made clear that the said observation will not be an impediment for the rights of the parties raised in the civil suit.

6. With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs.

10.07.2025
(3/3)

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

Tmg



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To

1.The District Registrar
Ramanathapuram District.
Ramanathapuram.

2.The Sub Registrar,
Velipattinam Sub Registrar Office,
Ramanathapuram,
Ramanathapuram District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.13229 of 2025**

**DATED : 10.07.2025
(3/3)**