



W.P(MD)No.15011 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15011 of 2024

and

W.M.P(MD)Nos.13163 & 13164 of 2024

A. Selvakumari

... Petitioner

Vs.

1. The District Registrar,
Palayamkottai,
Tirunelveli District.

2. The Sub Registrar,
Melappalayam,
35/B, Bardos Complex, 1st Floor,
Ambai Road, Melappalayam,
Tirunelveli District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the impugned order vide Appeal No.1 of 2022 dated 28.01.2022 on the file of the 1st Respondent and quash the same and further directing the 2nd Respondent to register the Power Deeds No.P4 and P5 dated 11.01.2021 submitted by the Petitioner within a reasonable time.



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For Petitioner : Mr.I.Robert Chandra Kumar

For Respondents : Mr.G.Suriya Ananth,
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Writ Petition to quash the impugned order vide Appeal No.1 of 2022 dated 28.01.2022 on the file of the 1st Respondent and further directing the 2nd Respondent to register the Power Deeds No.P4 and P5 dated 11.01.2021 submitted by the Petitioner within reasonable time prescribed by this Honourable High Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

2.The petitioner's father had purchased the disputed land on 11.09.2000 from one power agent namely M.A.S.Ahammed Maideen. Thereafter the petitioner's father and the petitioner's sister has executed two power of attorneys in the name of the petitioner which sought to be registered. The respondents have refused to register based on the objection submitted by one Maideen Gnaniyar who stated that one Gomathinayagam was the original owner of the property. But he has never



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executed power deed in the name of M.A.S.Ahammed Maideen. In the meanwhile the said Gomathinayagam died. Therefore automatically power deed become invalid. Inspite of the same, the power agent has executed sale deed in favour of the petitioner's father. Therefore based on the objection letter, the respondents have refused to register the present power deed. But the said fact has to be ascertained by giving opportunity to all the parties. Therefore, the impugned order is quashed and remitted back to the authorities for conducting enquiry and the first respondent shall issue notice to the petitioner as well as the Maideen Gnaniyar and other persons who are interested in the present transaction and thereafter, conduct an enquiry under Section 83 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

3. However, the objector namely, Maideen Gnaniyar is also at liberty to file a civil suit, if so advised. Further, the petitioner has submitted that it is only a power deed and that may be registered since the power deed will not amount to alienating the property. The first respondent may consider the petitioner's contention on this point and pass appropriate orders.



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4. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

29.08.2025

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

To

1. The District Registrar,
Palayamkottai, Tirunelveli District
2. The Sub Registrar,
Melappalayam,
35/b, Bardos Complex, 1st Floor,
Ambai Road, Melappalayam,
Tirunelveli District



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S.SRIMATHY, J.

PJL

**ORDER MADE IN
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DATED : 29.08.2025