



W.P(MD)No.17995 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17995 of 2022

M.Hemalatha

...Petitioner

Vs.

1.The Sub Registrar,
Paramakudi,
Ramanathapuram District.

2.S.Shanmugam

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of refusal check slip No.RFL/Paramakudi/17/2022 dated 21.07.2022 on the file of 1st respondent and to quash the same and further, to direct the 1st respondent to receive and register the power of attorney executed by the petitioner, petitioner's daughter and mother in law in favour of the petitioner's father.

For Petitioner

: Mr.G.Prabhu Rajadurai

For R1

: Mr.D.Sasikumar

Additional Government Advocate

For R2

: Mr.R.Suriyanarayanan



W.P(MD)No.17995 of 2022

ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order of refusal check slip No.RFL/Paramakudi/ 17/2022 dated 21.07.2022 on the file of 1st respondent and to further to direct the 1st respondent to receive and register the power of attorney executed by the petitioner, petitioner's daughter and mother in law in favour of the petitioner's father.

2.The contention of the petitioner is that the petitioner is entitled to the property as a legal heir of the petitioner's husband. The petitioner's husband has purchased the property from one Shenbagavalli. The said Shenbagavalli's father's brother's sons are claiming right over the property. However, the issue ought to be decided in civil case for which appeal in A.S.No. 237 of 2019 on the file of Sub Court, Sivagangai, is pending.

3.In the present case, the petitioner is seeking to register the power deed. Since it is only power deed, the respondent cannot refuse registration. Hence, the impugned refusal check slip is quashed and the 1st respondent is directed to register the power of attorney within a period of four weeks from the date of receipt of a copy of this order. However, it is made clear that the petitioner shall not encumber the property until the disposal of the appeal suit. The appeal



W.P(MD)No.17995 of 2022

suit shall be disposed by the Appellate Court within a period of six months from the date of receipt of a copy of this order. The power of attorney will not transfer the property. Therefore, the interim order, dated 22.07.2016, in W.P.(MD)No. 12936 of 2020, will not affect the registration.

4.With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

07.07.2025

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

Tmg

To:

The Sub Registrar
Paramakudi,
Ramanathapuram District

Copy to

Sub Court, Sivagangai.



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W.P(MD)No.17995 of 2022

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.17995 of 2022**

DATED : 07.07.2025