



W.P(MD)No.20035 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.20035 of 2025

V.Pradheepan

... Petitioner

Vs

The Sub Registrar,
Office of the Sub Registrar,
Keelakkarai,
Ramanathapuram District.

... 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 refusal Check Slip issued by the respondent vide refusal RFL/Keelakkarai/66/2025 dated 10.07.2025, to quash the same as illegal and consequently to direct the respondent to register the General Power of Attorney Deed dated 10.07.2025 presented by the petitioner for registration in respect of the properties in S.F.No.207/1A1, ad-measuring an extent of 2.81 acres, situated at Mayakulam Village, Keelakkarai Taluk, Ramanathapuram District.

For Petitioner : M/s.A.K.Gopalan

For Respondent : Mr.G.Suriya Ananth
Additional Government Pleader



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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slip dated 10.07.2025 and consequently, direct the respondent to register the General Power of Attorney Deed dated 10.07.2025, presented by the petitioner for registration

2. Admittedly, O.S.No.16 of 2025, renumbered as O.S.No.112 of 2025 on the file of Sub Court, Ramanathapuram, is pending between the petitioner and several defendants. Notice has been issued to the defendants and they have been directed to file a written statement. In the meantime, the petitioner is seeking to execute a Power of Attorney in favour of the petitioner's brother, namely, P.Rajeswaran. However, the respondent refused to register the said document on the ground that a suit is pending between the parties. Aggrieved over the same, the petitioner submitted a protest petition before the respondent.

3. It is a settled proposition of law that a protest petition cannot be entertained by the registering authority. If the respondent is permitted to consider the same, it would amount to usurping the powers of the Civil Court by determining title disputes between the parties. Further, pending suit cannot be a ground for refusing to register the document. Therefore, the impugned order is



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quashed. The respondent is directed to register the Power of Attorney, within a period of six (6) weeks from the date of receipt of a copy of this order. However, it is made clear since the Power of Attorney was executed during the pendency of a civil suit, the plea of *lis pendens* is available to the parties, whoever is aggrieved by such registration of settlement deed.

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

23.07.2025

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

jbr

To:

The Sub Registrar,
Office of the Sub Registrar,
Keelakkarai,
Ramanathapuram District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.20035 of 2025

DATED : 23.07.2025