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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No.20743 of 2025

Thameemul Ansari

... Petitioner

Vs

1.The Sub Registrar
Melapalayam Sub Registrar Office,
Registration Department, Melapalayam,
Tirunelveli District.

2.Mohamed Habeeb

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other writ or direction in the nature of writ calling for the records relating to the impugned Refusal Check Slip Refusal Number in RFL/Melapalayam/49/2025 dated 21.07.2025 passed by the Respondent No.1 and quash the same as illegal consequently directing



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the Respondent No.1 to register the cancellation of General Power of Attorney deed dated 17.07.2025 presented by the Petitioner.

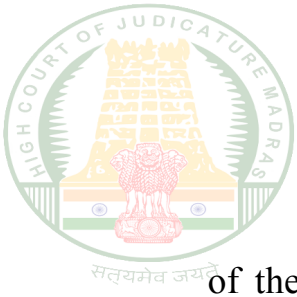
For Petitioner : Mr.A.Abdulkabur.
For Respondents : Mr.S.Kameshwaran, (for R1)
Government Advocate

ORDER

The Present writ petition is filed to quash the impugned Refusal Check Slip Refusal Number in RFL/Melapalayam/49/2025 dated 21.07.2025 passed by the Respondent No.1 and consequently to direct the first respondent to register the cancellation of General Power of Attorney deed dated 17.07.2025 presented by the Petitioner.

2.Through the impugned order, the first respondent directed the petitioner to affix the signature in person and in the presence of the second respondent.

3.The brief facts are that in order to safeguard the loan Transaction between the petitioner and the second respondent, the petitioner has executed a General Power of Attorney deed dated 17.07.2025. The title



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of the power of attorney is “pothu athikaram” and therefore, which is General Power of Attorney recognized under the law. It is a document, which is executed in order to provide security for the loan transaction.

4. Therefore, this Court is of the opinion that the respondent cannot insist to affix the signature by both the petitioner as well as the second respondent. Further, it is only a cancellation of power of attorney. The petitioner admittedly is the owner of the land. Therefore, he is entitled to cancel the power without requiring the signature from the second respondent. In any General Power of Attorney, the owner of the property is entitled to cancel the power at his wish and it is not necessary the agent to be present at the time of cancellation. Therefore, the impugned order is liable to be set aside.

5. Accordingly, this writ petition is allowed. The impugned Refusal Check Slip Refusal Number in RFL/Melapalayam/49/2025 dated 21.07.2025 passed by the first respondent is hereby quashed. The first respondent is directed to register the cancellation of General Power of



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Attorney deed dated 17.07.2025 presented by the Petitioner without insisting the presence of the second respondent. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

31.07.2025

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

vsg



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To

1. The Sub Registrar
Melapalayam Sub Registrar Office,
Registration Department, Melapalayam,
Tirunelveli District.



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S.SRIMATHY, J

vsg

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