



**W.P(MD)No.24248 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 11.09.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.24248 of 2025**

V.Avinash

... Petitioner

Vs.

The Sub Registrar,  
Sub Registrar Office,  
Valliyoor,  
Tirunelveli District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the respondent herein in his refusal check slip in refusal number RFL/Valliyoor/23/2025 dated 22.05.2025 and quash the same as illegal and further direct the respondent herein to register (TP/215678339/2025) the Power Attorney with respect to land in S.Nos.43/1, 43/2, 51/1, 16/1, 16/3, 16/4, 16/2, 48/11, 48/1, 48/5B, 48/7, 48/10, 50/1, 50/2A, 50/5A, 59/10, 59/1, 59/8 in total to an extent of 24 Acres 39 cents in Aanaikulam Village, Radhapuram Taluk, Tirunelveli District and release the same and permit the petitioner to make further encumbrance in pursuant to the power of attorney.

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For Petitioner : Mr.V.Meenakshi Sundaram  
For Respondent : Mr.G.V.Vairam Santhosh  
Additional Government Pleader

**ORDER**

Heard both sides.

2.The petition mentioned property was purchased by the parents of the writ petitioner through registered sale deeds in the year 1994. The petitioner's father passed away on 14.10.2001. Upon his demise, his share devolved upon the petitioner's mother, petitioner and his brother. Subsequently, the petitioner and his mother executed power of attorney in favour of the petitioner's brother to deal with the property. The document was presented for registration on 04.04.2025. It appears that a portion of the property had been shown as a pathway by certain individuals who promoted a layout in the vicinity. Since the survey numbers included in the petition mentioned property have been shown as a pathway in a number of registered documents, the registering authority declined to accept the document for registration. To this effect, refusal check slip was issued. Challenging the same, this writ petition came to be filed.



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3.As rightly pointed out by the learned counsel for the writ petitioner, there is nothing on record to show that the petitioner's parents or the petitioner themselves have dealt with the property earlier. Merely because some of the survey numbers included in the petition mentioned document have been shown as a pathway by third parties, that cannot affect the rights of the writ petitioner. More than anything else by executing the power of attorney there is no transfer of title or interest. In this view of the matter, the order impugned in the writ petition is quashed. The petitioner and his mother are permitted to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities.

4.This writ petition is allowed accordingly. No costs.

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NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**G.R.SWAMINATHAN, J.**

MGA

To

The Sub Registrar,  
Sub Registrar Office,  
Valliyoor, Tirunelveli District.

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