



Rev Appln Writ(MD). No.166 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 10/09/2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

Review Application Writ (MD). No.166 of 2025

Sonai

...Petitioner

Vs.

The Sub Registrar,
O/o. Sub Registrar's office,
Chettikulam (Madurai North)
Madurai District.

...Respondent

PRAYER : This application has been filed under Section Order 47 Rule 1 r/w under Article 226 of the Constitution of India., to review the order of this Court dated 07.07.2025 made in W.P(MD)No.17436 of 2025 and to allow the review petition.

For Petitioner : Mr.Suriya Narayanan

For Respondent : Mr. A.Oliraja
Government Advocate (Crl.Side)



Rev Appln Writ(MD). No.166 of 2025

ORDER

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The instant review application has been filed to review the order dated 07.07.2025 in W.P.(MD)No.17436 of 2025 on the file of this Court.

2. Heard the learned counsel for the review petitioner and the learned Government Advocate appearing for the respondent.

3.The writ petition filed by the petitioner seeking to quash the notice issued by the respondent questioning the right of the petitioner over the subject property and to release the General Power of Attorney dated 22.11.2024, was allowed holding that the father of the petitioner namely, Sonaisomban has already sold the entire extent of property and the remaining extent of property was secured by the National Highways and there is no land available for the petitioner to sell. Seeking to review the said observation, the petitioner has filed the present review application is filed.



Rev Appln Writ(MD). No.166 of 2025

4.The learned counsel for the petitioner submitted that in the civil proceedings initiated as against the petitioner by the purchasers of the subject property, it was clearly observed that the petitioner's father namely, Sonaisamban died in the year 1984 and hence, the alleged sale that has been made by the vendors of the plaintiffs in the suit, was made by forging the signature of a dead person, viz., the father of the petitioner. According to the petitioner, some portion of the property, apart from the lands acquired by the National Highways, is still available with him, hence, he has sought to register the power of attorney deed executed in his favour in respect of that property. The respondent has only raised objections with regard to the sale of that properties disbelieving the right of the petitioner.

5.In light of the above submission and based on the petitioner claim that there are lands available to the petitioner, even then some of the lands were acquired by the Highways Authority and the alleged sale of the subject property by the father of the petitioner is fraudulent, the observation made by this Court at para No.4 of the order dated 07.07.2025 to the effect that *'the petitioner's father, namely,*

3/6



Rev Appln Writ(MD). No.166 of 2025

Sonaisundaram has already sold the entire extent of the property. The balance property was already secured by the National Highways. There is no land for further sale." is deleted as according to the petitioner, it would affect the interests of the petitioner before the civil Court.

6. That apart, the question as to whether some of the property is still available with the petitioner has to be adjudicated before the civil Court as the authorities cannot go into such disputed question of fact. Thereby, the respondent/Sub Registrar, as directed in the writ petition, is directed to consider the petitioner's claim in light of the civil Court proceedings in A.S.Nos.56, 57 and 58 of 2019 on the file of the Sub Court, Melur and register the General Power of Attorney as a contra entry and proceed further.

7. In the result, this Review Application is allowed in above terms.

No costs.

(S S Y J)
10.09.2025

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4/6



Rev Appln Writ(MD). No.166 of 2025

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To

1. The Sub Registrar,
O/o. Sub Registrar's office,
Chettikulam (Madurai North)
Madurai District.
2. The Government Advocate
Madurai Bench of Madras High Court.



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Rev Appln Writ(MD). No.166 of 2025

S.SRIMATHY, J.

msrm

**ORDER
IN
Review Application Writ (MD). No.166 of 2025**

**Date : 10.09.2025
(1/2)**