



W.P.(MD)No.26844 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2025

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THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.26844 of 2025 &
W.M.P(MD)Nos.20848, 20851 & 20854 of 2025

A.Vasugi

...Petitioner

vs.

1. The District Collector,
Office of the District Collector,
Tenkasi District.
2. The District Registrar,
Office of the District Registrar,
Tenkasi District.
3. The Sub Registrar,
Office of the Sub Registrar,
Panbozhi,
Tenkasi District.
4. The Superintendent of Police,
Tenkasi District.
5. The Inspector of Police,
Achanpudur Police Station,
Achanpudur,
Tenkasi District.
6. The Deputy Director,
Government District Headquarters Hospital,
Tenkasi District.
7. Arunagiri



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8. M/s.Specified Rubbers Private Limited,
Through its Executive Director,
Rony Joseph Thomas,
Kannukuzhiyal Buildings,
Muttambalam Post, Kottayam - 684 004.

9. S.Murugiah

...Respondents

(R8 and R9 are *suo motu* impleaded vide Court order dated 07.10.2025 in
W.P.(MD)No.26844 of 2025)

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No. 3686/Aa2/2025 dated 22.08.2025, quash the same, and consequently direct the respondents 1 to 3 to cancel the registration of General Power of Attorney which is registered as Document No.269/2021 on the file of Sub Registrar Office, Panbozhi, Tenkasi District, dated 10.02.2021 and all subsequent document which are vitiated by fraud, forgery and impersonation, and lack of free consent and to cancel all subsequent sale deeds relating to Survey No.317/4, Ilathur Village, Sengottai Taluk, Tenkasi District and restore the patta in the name of the petitioner's father P.Arumugasamy.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R1 to R3 & R6
Mr.A.Albert James,
Government Advocate (Criminal Side)
for R4 & R5
Mr.S.Srinivasaragavan for R7
Mrs.V.Janakidevi for R8



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ORDER

This Writ Petition has been filed challenging the impugned order the second respondent in Na.Ka.No.3686/Aa2/2025 dated 22.08.2025, and consequently to direct the respondents 1 to 3 to cancel the registration of general power of attorney in Document No.269/2021 on the file of Sub Registrar Office, Panbozhi, Tenkasi District, dated 10.02.2021 and all subsequent documents which are vitiated by fraud, forgery, impersonation and lack of free consent and to cancel all subsequent sale deeds relating to Survey No.317/4, Ilathur Village, Sengottai Taluk, Tenkasi District and restore the patta in the name of the petitioner's father P.Arumugasamy.

2. The learned counsel appearing for the petitioner would submit that the petitioner's request to cancel the general power of attorney dated 10.02.2021 executed by the petitioner's father in favour of the seventh respondent, on the ground that the petitioner's father is an insane person and is not capable of executing power of attorney, was rejected by the District Registrar, Tenkasi District / second respondent stating that Section 77A of the Registration Act, 1908, has been struck off by the Division Bench. The petitioner was directed to approach the Civil Court for appropriate remedy. Hence, this Writ Petition.



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3. Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents 1 to 3 and 6 would submit that the second respondent has rightly directed the petitioner to approach the Civil Court as he has no power to cancel the power of attorney in view of the fact that Section 77A of the Registration Act, 1908, has been struck of by the Division Bench. Therefore, he would submit that orders may be passed directing the petitioner to approach the Civil Court for appropriate remedy.

4. I have given due consideration to the submissions made on either sides.

5. Certainly, the District Registrar, Tenkasi District has no power to cancel the power of attorney executed by the petitioner's father in favour of the seventh respondent in view of the fact that Section 77A of the Registration Act, 1908, has been struck of by virtue of the Division Bench order of this Court in *M Kathirvel v. Inspector General of Registration and Others* in W.P.No. 10291 of 2022 and batch, dated 02.08.2024 and that the insanity of the petitioner's father can be decided only by the Civil Court. Such being the case, I do not find any merits in the present Writ Petition. As rightly contended by the learned Additional Government Pleader, the petitioner is directed to approach the Civil Court and agitate her right there.



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6. Accordingly, this Writ Petition is disposed of. No costs.

Consequently, the connected Miscellaneous Petitions are closed.

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Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

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KRISHNAN RAMASAMY, J.

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