



W.P.No.3176 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.3176 of 2026

Malathi Subramaniam

.. Petitioner

VS

1.The Inspector General of Registration,
Registration Department,
Santhome, Chennai – 600 028.

2.The Sub Registrar,
Office of the Sub Registrar,
Cheyyur, Cheyyur Taluk.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the second respondent herein to receive the General Powers of Attorney in Power of Attorney bearing No.TP/ADJ/Cheyyur/6143557/2026 and TP/ADJ/Cheyyur/6143607/2026 dated 07.01.2026 and register and handover the same to the petitioner at the earliest.

For Petitioner : Ms.Vasudha Thiagarajan

For Respondents : Mr.U.Baranidharan,
Special Government Pleader



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ORDER

WEB COPY A property measuring 50 cents in Field No.17A, Sreyas Enclave Annex was purchased by the petitioner's daughter-in-law under sale deed dated 04.06.2009 bearing Document No.1593 of 2009. The petitioner's daughter-in-law passed away on 15.05.2024. Since the granddaughters of the petitioner reside in the United States of America, each granddaughter executed general power of attorney dated 22.12.2025 in favour of the petitioner authorising the petitioner to execute a release deed or settlement deed or other appropriate document to and in favour of their father Mr.Rajesh Subramaniam. After adjudication, the powers of attorney were presented for registration. Upon being orally informed that the documents would not be registered unless the share of property mentioned in the schedules therein is changed to $\frac{1}{4}$ instead of $\frac{1}{3}$, the present writ petition has been filed.

2. Learned counsel for the petitioner submits that the property was owned by a female Hindu. Consequently, she submits that surviving class 1 legal heirs are the husband and children. Because each child is entitled to $\frac{1}{3}$ rd share, she submits that each power of attorney refers to the $\frac{1}{3}$ rd share of each granddaughter of the petitioner. Therefore, she submits that the registering officer had no valid reason to refuse to register the same.



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3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for both the respondents. He submits that the petitioner may be directed to re-present the general powers of attorney for registration and that the documents would be either registered or a speaking order of refusal would be issued.

4. As submitted by learned counsel for the petitioner, under the Hindu Succession Act, the class 1 heirs of a deceased female Hindu are her husband and children. Therefore, each grandchild of the petitioner would succeed to the extent of 1/3rd of the property. The schedule to each general power of attorney reflects the said 1/3rd share. Notwithstanding the fact that the legal heir certificate also carries the names of the father and mother of the deceased, entitlement to property is determinable as per the Hindu Succession Act and not as per such legal heirship certificate.

5. In the above facts and circumstances, this writ petition is disposed of on the following terms:

5.1 The petitioner shall re-present the two general powers of attorney before the registering officer within two weeks from the date of receipt of a copy of this order;



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5.2 Subject to fulfillment of other requirements

relating to registration, the registering officer shall register the documents. Because these were presented within the prescribed time limit, the registering officer shall not insist on the production of life certificate.

There shall be no order as to costs.

10.02.2026

Index:Yes/No
Neutral Citation:Yes/No
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To

- 1.The Inspector General of Registration,
Registration Department,
Santhome, Chennai – 600 028.
- 2.The Sub Registrar,
Office of the Sub Registrar,
Cheyyur, Cheyyur Taluk.



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SENTHILKUMAR RAMAMOORTHY,J.

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