



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 7587 of 2026 AND WMP NO. 8199 OF 2026

A.Nithiyanandam

Petitioner(s)

Vs

The Sub Registrar
Joint No.2 Sub Registrar office-
Chengalpattu, Chengalpattu

Respondent(s)

PRAYER

calling for the connected records culmination in the impugned Refusal Check Slip dated 12.01.2026, bearing No.RFL/2, issued by the respondent issued by the respondent and quash the same as illegal and consequently direct the respondent to register the General Power Attorney, dated 12.01.2026.

For Petitioner(s): Mr.Arind Subramanian
Senior Counsel for
Mr.V.Haribabu

For Respondent(s): Mr.P.Harish, GA

ORDER

This writ petition has been filed, challenging the impugned Refusal Check Slip dated 12.01.2026, presented by the petitioner for registration on the following grounds:

a)The parent document i.e. the Will is an un-registered document;



b) There is a discrepancy in the ledger entries of the stamp vendor in the

Will dated 21.07.2009.

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2. Learned Senior Counsel appearing for the petitioner would submit that without authority under law, the respondent has refused to register the power of attorney. Since the power of attorney does not convey any interest over the property, the refusal by the respondent to register the same is arbitrary and illegal. He would also submit that the reasons given by the respondent for refusing to register the power of attorney does not fall within the purview of Section 22-A of the Registration Act and hence, without authority under law, the respondent has refused to register the power of attorney, presented by the petitioner for registration.

3. The petitioner has also challenged the impugned order on the ground of violation of principles of natural justice since no opportunity of hearing was provided to the petitioner before passing the impugned order.

4. Mr. P. Harish, learned Government Advocate accepts notice on behalf of the respondent.

5. The Will is not compulsorily registrable. However, under the impugned Refusal Check slip, the respondent has refused to register the power of attorney,



presented by the petitioner for registration on the ground that the parent document i.e. the Will is an un-registered document. Further, the document presented by the petitioner on the face of it does not convey any interest over the property. It is a simple power of attorney executed by the petitioner in favour of his agent. The respondent has refused to register the power of attorney, presented by the petitioner for registration by also giving the reason that they have noticed certain discrepancies in the ledger entries of the stamp vendor in the parent document i.e. the Will. Before passing the impugned Refusal Check Slip refusing to register the power of attorney, presented by the petitioner for registration, no opportunity of hearing was granted to the petitioner as seen from the impugned Refusal Check Slip.

6.The petitioner categorically contends before this Court that the Will, which is a parent document, is a genuine document and he categorically contends that for any discrepancy in the stamp paper in which the Will was executed, committed by the Stamp vendor, the petitioner cannot be penalised.

7.After giving due consideration to the aforesaid factors, this Court is of the considered view that in the interest of justice, the matter has to be remanded back to the respondent for fresh consideration, on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and permitting the petitioner to submit a detailed explanation as to why there is no prohibition



for the respondent to register the power of attorney, presented by the petitioner for registration.

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8.This Court is not expressing any opinion on the merits of the respective contentions.

9.For the foregoing reasons, on the ground of violation of the principles of natural justice, this Court quashes the impugned Refusal Check Slip dated 12.01.2026 passed by the respondent and this writ petition is disposed of by remanding the matter back to the respondent for fresh consideration, on merits and in accordance with law.

10.The petitioner is permitted to submit a detailed written explanation to the respondent with regard to the reasons given by the respondent in the impugned Refusal Check Slip, within a period of one week from the date of receipt of a copy of this order. The respondent, after receiving the same within the stipulated time, shall issue notice of hearing, calling upon the petitioner to come for enquiry and after holding a proper enquiry and after giving due consideration to the contentions of the petitioner and the supporting documents filed by the petitioner, shall take a final decision with regard to the registration of the power of attorney dated 12.01.2026, presented by the petitioner for



registration, within a period of six weeks thereafter. Consequently, connected

WMP is closed. No costs.

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04-03-2026

vga

To

The Sub Registrar
Joint No.2 Sub Registrar office-
Chengalpattu, Chengalpattu



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ABDUL QUDDHOSE J.

vga

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