



CNR: KAHC010553492025

NC: 2026:KHC:37360
WP No. 25498 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 25498 OF 2025 (GM-DRT)

BETWEEN:

SRI. RAMADOSS R.,
S/O. RANGANAYAKALU CHETTY,
AGED ABOUT 70 YEARS,
OCC: RETIRED
ADDRESS: NO.3/18,
BDA MIG FLAT, SERVICE ROAD,
DOMLUR 2ND STAGE,
BENGALURU NORTH,
BENGALURU-560 071.

...PETITIONER

(BY SRI. DALWAI P VENKATESH, ADVOCATE)

AND:

1. THE SUB-REGISTRAR
HEBBAL,
BENGALURU NORTH
BENGALURU-560 065.
2. LIC HOUSING FINANCE LTD.,
NO.15/1, HAVES CENTRE, HAYES ROAD,
BENGALURU-560 025.
REPRESENTED BY ITS
AUTHORISED OFFICER,
ASSOCIATE CHIEF MANAGER
SMT. R.SUJATHA.
3. THE BRUHAT BENGALURU
MAHANAGARA PALIKE,

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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HUDSON CIRCLE, BENGALURU-560002.
REPRESENTED BY ITS COMMISSIONER.

(VIDE COURT ORDER DATED 21/7/2026
RESPONDENT NO.3 DELETED)

...RESPONDENTS

(BY SRI. K.P.YOGANNA, AGA FOR R1;
SRI. ATUL N.MENON, ADVOCATE FOR 2;
VIDE COURT ORDER DATED 21/7/2026 R-3 DELETED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE
THEREIN AS UNDER:

ORAL ORDER

Sri. Venkatesh P Dalwai, counsel for the petitioner,
Sri. K.P.Yoganna, Additional Government Advocate for
respondent No.1 and Sri.Atul N Menon, counsel for respondent
No.2 appeared in person.

2. This petition is filed seeking following reliefs:

*"a) A writ in the nature of mandamus directing the
Respondent No 2 to hand over duly executed original sale
certificate with reference to E-Auction conducted in terms
of letter dated 5-10-2024 produced at Annexure-A
forthwith to petitioner and also send copy of the sale*



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certificate Respondent No.1 to make necessary entry in Book 1 in terms of Section 89 of the Registration Act, in the interest of justice.

b) A writ in the nature of mandamus directing Respondent No 1 to make entry of sale certificate in Book 1 and consequently direct to enter the sale certificate in favour of petitioner in the encumbrance certificate, in the interest of justice.

c) A writ in the nature of mandamus Respondent No 3 to issue E-Khatha in favour of petitioner with reference to schedule property in the interest of justice.

d) Any other direction or order may be issued in the interest of justice."

3. Suffice it to note that the petitioner purchased the scheduled property in E-auction conducted by the second respondent on 04.10.2024. The petitioner's grievance is that the second respondent has failed to get the auction formalities completed in his favor, resultantly, the transfer of title has not taken place and further the petitioner being bonafide auction purchaser has not been able to get E-katha and other changes in ancillary documents due to failure of respondent No.2 to discharge their statutory duty under the SARFAESI Act, 2002. The petitioner specifically contends that the second respondent



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has to hand over the duly executed sale certificate to him and in addition shall mark copy to the first respondent to be entered into Book No.1 which has the affect of registration by operation of law. So also statutory authorizes under local laws need to make necessary changes in the records based on the sale certificate. In my considered view, the petitioner's grievance is justified as he is a bonafide auction purchaser and therefore a duty and obligation casts on the second respondent to hand over duly executed original sale certificate to the petitioner.

The Apex Court in ***M/S ESJAYPE IMPEX PRIVATE LIMITED Vs. ASST. GENERAL MANAGER AND AUTHORIZED OFFICER CANARA BANK*** in Special Leave to Appeal(C) Nos.24164/2019 has held that the mandate of law in terms of Section 17 (2) (xii) read with Section 89 (4) of the Registration Act, 1908, only required the authorized officer of the Bank under the SARFAESI Act to hand over the duly validated sale certificate to the auction purchaser with a copy forwarded to the registering authorities to be filed in Book No.1 as per Section 89 of the Registration Act.



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Under these circumstances, this Court deems it proper to direct the second respondent to hand over the duly validated sale certificate to the petitioner with ten days from the receipt of certified copy of the order and send/forward the copy of the sale certificate to the first respondent to make necessary entry in Book No.1 in terms of Section 89 of the Registration Act. Upon the receipt of a copy of the sale certificate, the first respondent shall make an entry of sale certificate in Book No.1.

4. With the above observations, the writ petition is ***allowed.***

**SD/-
(JYOTI M)
JUDGE**

PHM
List No.: 1 Sl No.: 51