



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 6234 of 2026

M.S.Senthilkumar
S/o.Shanmugam,
No.M46, Manickampalayam Housing Unit,
Erode-638 011

..Petitioner(s)

Vs

1. The District Registrar
District Registrar Office,
Gopichettipalayam,
Erode District.
2. The Sub Registrar
Kavunthappadi Sub-Registrar office,
Kavunthappadi, Erode District.
3. The Branch Manager
UCO Bank, Erode Branch,
No.11, Parimalam Complex,
E.V.Nanjappa Road, Erode-638 011

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Mandamus directing the respondents 1 and 2 to remove the encumbrance made vide Doc No.8 of 1999 dated 22.04.1999 on the file of 2nd respondent in respect of the property comprised in



Survey Nos.644/1 and 644/2 to an extent of 1.29 1/2 acres situated at Kanjikoil Village, Perundurai Taluk, Erode District, by considering the petitioners representation dated 05.01.2026 and No due Certificate dated 27.11.2025 which was issued by the 3rd respondent, within the time limit to be stipulated by this Court.

For Petitioner(s): Ms. S.Rithika

For Respondent(s): Mr.Dominic S.David

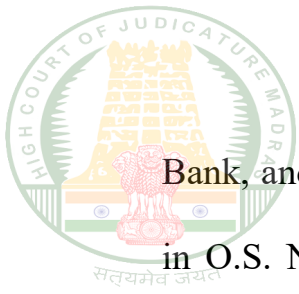
Government Counsel for R1 and R2

Mr.PS.Ganesh for R3

ORDER

The present Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing the respondents 1 and 2 to remove the encumbrance made vide Doc No.8 of 1999 dated 22.04.1999 on the file of 2nd respondent in respect of the property comprised in Survey Nos.644/1 and 644/2 to an extent of 1.29 1/2 acres situated at Kanjikoil Village, Perundurai Taluk, Erode District, by considering the petitioner's representation dated 05.01.2026 and No due Certificate dated 27.11.2025 which was issued by the 3rd respondent, within the time limit to be stipulated by this Court.

2. The learned counsel for the petitioner submitted that the petitioner is the son and legal heir of late Shanmugam, who was the proprietor of M/s. Salem Cones. The petitioner's father had availed loan facilities from the 3rd respondent



Bank, and upon default in repayment, the Bank instituted recovery proceedings in O.S. No. 55 of 1988 before the learned Sub-Court, Erode. Pursuant to the decree, execution proceedings were initiated in E.P.R. No. 127 of 1998, and by order dated 22.04.1999, the petitioner's father's property measuring 1.29½ acres in Survey Nos. 644/1 and 644/2 at Kanjikoil Village, Perundurai Taluk, Erode District, was attached and an encumbrance was registered as Document No. 8 of 1999.

3. Thereafter, the petitioner's father passed away on 02.12.2019. Subsequently, the petitioner settled the entire outstanding loan amount of Rs.3,00,000/- on 15.11.2025, and the 3rd respondent Bank issued a No Due Certificate dated 27.11.2025, confirming that no dues remained in respect of the loan accounts.

4. Despite the loan having been fully discharged, the encumbrance created pursuant to the attachment continued to reflect in the records, preventing the petitioner from dealing with the property. The petitioner submitted a representation dated 05.01.2026 to the respondents seeking removal of the encumbrance. As no action was taken, the petitioner has filed the present writ

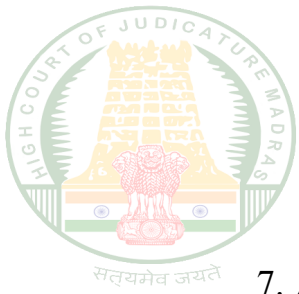


petition seeking a direction to remove the encumbrance entered as Document No. 8 of 1999 from the registration records.

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5. The learned counsel appearing for the 3rd respondent Bank submitted that the petitioner has discharged the entire outstanding loan liability and that no amount remains due and payable as on date. It was further submitted that the execution proceedings have also been closed in view of the full and final settlement of the loan account.

6. Having considered the submissions made on either side and upon perusal of the materials placed on record, this Court finds that the petitioner has fully discharged the loan liability due to the 3rd respondent Bank, which has also issued a No Due Certificate acknowledging the settlement of the loan account. It is further evident that the execution proceedings have been terminated consequent upon such settlement. In such circumstances, the continuance of the attachment and the consequential encumbrance over the petitioner's property serves no legal purpose.



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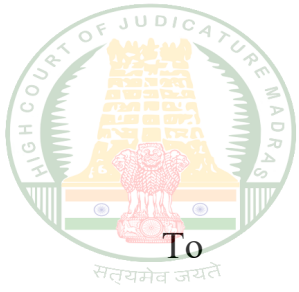
7. Accordingly, the order of attachment passed by the learned Sub Court, Erode, in E.P.R. No.127 of 1998, dated 22.04.1999, shall stand raised. The petitioner is directed to produce a copy of this order before the registering authority. On receipt of the same, the 1st and 2nd respondents shall take necessary steps to remove the encumbrance arising out of Document No.8 of 1999 and make appropriate entries in the relevant registration records, in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

13-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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KRISHNAN RAMASAMY, J.

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