



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6847 of 2020

N. Panchavarnam

...Petitioner

Vs.

1. The Joint Director
Directorate of Enforcement
Government of India
Chennai 600 006

2. The Assistant Director
Directorate of Enforcement
No. 6 (Old No. 42) Besant Road
Chokkikulam
Chennai 625 002

3. The Sub Registrar
Sub Registrar Office
Registration Department
Natham, Dindigul District

...Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to remove the entries made in Encumbrance Register in the remarks column on the file of the third respondent insofar as prohibition of sale of petitioner property comprised in Survey Nos. 198/1A, 199/4 situated at Vellampattil Village, Dindigul District is concerned on the basis of the petitioner's representation, dated 16.03.2020 within the time stipulated by this Court.

For Petitioner : Mr. S. Vinayak
For R1 & R2 : Mr. R. Vijayaraj
Central Government Standing Counsel
For R3 : Mr. V. Anand
Government Advocate.

ORDER

Heard the learned counsel for the writ petitioner, the learned Central Government Standing Counsel for the respondents 1 and 2 and the learned Government Advocate for the third respondent.

2. The petitioner wants this Court to direct the third respondent to remove the entries made in the encumbrance register in respect of the petition mentioned property. The case was adjourned to enable the Standing Counsel for the respondents 1 and 2 to get instructions.



3.Today, when the matter was taken up for hearing, the learned Central Government Standing Counsel produced a copy of the communication bearing File No.ECTR/04/MDSZO/2014, dated 15.07.2020 instructing the third respondent to remove the encumbrance in question. Since the respondents 1 and 2 themselves have issued appropriate instruction in this regard, there cannot be any impediment for the third respondent to remove the offending entries. The third respondent is directed to effect the removal of the encumbrance forthwith and without any delay.

4.With the above direction, this Writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To :

- 1.The Joint Director
Directorate of Enforcement
Government of India
Chennai 600 006
- 2.The Assistant Director
Directorate of Enforcement
No.6(Old No.42) Besent Road
Chokkikulam
Chennai 625 002
- 3.The Sub Registrar
Sub Registrar Office
Registration Department
Natham, Dindigul District

W.P. (MD)No.6847 of 2020
23.07.2020

KB(29.07.2020) 2P 4C