

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.4872 of 2021

The Authorised Officer,
Tamil Nadu Mercantile Bank Ltd.,
Mayiladuthurai Branch
Mayiladuthurai

... Petitioner

-Vs-

The Sub Registrar- Joint No.1
Office of the Sub Registrar
Mayiladuthurai.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to communication in Na.Ka.No.432/2021/pa dated 09.02.2021 issued by the Sub Registrar- Joint No.1, Mayiladuthurai, and quash the same as illegal and arbitrary and consequently direct the Sub Registrar - Joint No.1, Mayiladuthurai, to Register the Sale Certificate dated 30.11.2020 issued by the Bank in favour of the Auction Purchaser Mr.Neelakandan.

For Petitioner : Mr.S.Sethuraman
For Respondent : Mr.T.M.Pappiah
Special Government Pleader

ORDER

This Writ Petition is filed for a Certiorarified Mandamus, calling for the records pertaining to the communication in Na.Ka.No.432/2021/pa dated 09.02.2021 issued by the Sub Registrar- Joint No.1, Mayiladuthurai, and quash the same as illegal and arbitrary and consequently direct the Sub Registrar - Joint No.1, Mayiladuthurai, to Register the Sale Certificate dated 30.11.2020 issued by the Bank in favour of the Auction Purchaser Mr.Neelakandan.

2.Heard Mr.S.Sethuraman, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondent.

3.The Sub-Registrar is now required to go through the authority of this Court in W.P.No.9802 of 2020 dated 29.07.2020 (Tamilnadu Mercantile Bank Limited, rep. by its Authorised Officer Vs. The Sub Registrar, Kancheepuram) and proceed to take a call on the prayer made by the petitioner

after the conclusion of the General Elections to the Legislative Assembly - 2021, after issuing notice to all the parties who are likely to be affected by his decision, provide them a fair and effective hearing, and dispose of the matter through a speaking order.

4.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

dn

To

The Sub Registrar- Joint No.1
Office of the Sub Registrar
Mayiladuthurai.

+1cc to Mr.S.Sethuraman, Advocate, S.R.No.14242.
+1cc to the Government Pleader, S.R.No.13101.

W.P.No.4872 of 2021

PVS (CO)
CSR 30.03.2021



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