



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.20272 of 2021

A.Devaraj

.....Petitioner

vs.

1. The Branch Manager
State Bank of India,
Polur Branch Near Arun Theater,
Polur, Thiruvannamalai District.

2. The Sub Registrar,
Sub Registrar Office-Kalambur,
Arani Taluk, Thiruvannamalai District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus, directing the first respondent to delete the petitioner's property survey No.49/9B from the second respondents register book.

For Petitioner : Mr. A.E.Kalaiselvan

For Respondents : Mr. R.Kumaravel R2
Addl. Government Pleader

ORDER

The petitioner has filed this petition seeking issuance of Writ of Mandamus directing the first respondent to delete the petitioner's property survey No.49/9B from the second respondents register book.

2. The case of the petitioner is that he purchased 72 cents agricultural land in survey No.49/1A&49/9B through the registered sale deed and he is in peaceful possession and enjoyment of the land till date without any encumbrances or any dispute of title. On 19.06.2019, the first respondent registered the attachment order regarding third person's property scheduled



for nonpayment of loan amount including the petitioner's property in survey No.49/9B without any legal basis and without verifying the documents. On 25.02.2021, the petitioner got EC certificate from the second respondent and thereafter, the petitioner came to know that the first respondent included the petitioner's property 20 cents in S.No.49/9B. The petitioner approached the second respondent to delete the petitioner's survey number from register book (attachment order). However, there is no response from the respondent. Hence, the present Writ Petition has been filed seeking for the above said relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the second Respondent to consider the petitioner's representation dated 02.03.2021 within the time frame as fixed by this Court.

4. The learned Additional Government Pleader submits that the petitioner's representation dated 02.03.2021 will be considered by the second Respondent in accordance with law within the time frame fixed by this Court.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation dated 02.03.2021 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition is disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The Branch Manager
State Bank of India,
Polur Branch Near Arun Theater,
Polur, Thiruvannamalai District.



2. The Sub Registrar,
Sub Registrar Office-Kalambur,
Arani Taluk,
Thiruvannamalai District.

+1cc to M/s.A.E.Kalaiselvan, Advocate Sr.67795
+1cc to the Government pleader Sr.67954

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ksm[co]
srg 11/01/2022