



W.P.No.21703 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.21703 of 2022

Asif Basha

...Petitioner

Vs.

1. The District Registrar, Krishnagiri

2. The Sub Registrar, joint – 1,
Krishnagiri

3. Liakath

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider my representation dated 20.06.2022 and to pass orders.

For Petitioner : Mr. V. Regunathan

For Respondents : Mr. Yogesh Kannadasan
Special Government Pleader

ORDER



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The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to consider petitioner's representation dated 20.06.2022 and to pass orders.

2. The case of the petitioner is that the petitioner entered into a sale agreement with the third respondent on 05.05.2008 (Document No.1245 of 2008) and the same was uploaded in the registration website. The time limit is fixed for 6 months for the execution of the sale deed. But the 3rd respondent did not come forward to perform his part of Contract inspite of several request. The grievance of the petitioner is that as the said sale transaction was uploaded in the registration website it stand as a encumbrance due to which the petitioner is unable to sell the property to some other person. Hence the petitioner made a representation on 20.06.2022 to the 1st and 2nd respondents to remove the encumbrance entries in the subject property. However the same was not considered. Hence the present petition is filed.

3. Learned Additional Government Pleader takes notice for the official respondent. In view of the consent expressed by the learned counsel



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appearing for either side, this petition is taken up for final disposal.

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4. The learned counsel for the petitioner submitted that the petitioner submits that he has submitted a representation on 20.06.2022 to the 1st and 2nd respondents to remove the encumbrance entry. However, till date the petitioner's request has not been considered. Aggrieved over the same the petitioner has come up with this writ petition.

5. Heard both sides and perused the materials available on record.

6. On a perusal of records it is seen that the petitioner entered into an agreement with the third respondent and thereafter he failed to perform the contract and there is no error on the part of the registration authorities. Hence the prayer sought for the petitioner to remove the encumbrance entry cannot be granted by this Court. Accordingly this petition is dismissed. However the petitioner is at liberty to work out his remedy in the manner known to law.

25.08.2022

Speaking Order : Yes/ No

Index : Yes/ No

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M.DHANDAPANI,J.

smn

To

11. The District Registrar, Krishnagiri
2. The Sub Registrar, joint – 1,
Krishnagiri

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