



WEB COPY



W.P.No.34195 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34195 of 2022

1. Mrs. T.Agnalaa
2. Mrs.S.Umagowri

... Petitioners

-Vs-

1. The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram, Chennai – 600 028.
2. The Deputy Inspector General of Registration,
6/1 GRD Road,
Air Force Admin College,
Red Fields,
Coimbatore – 641 018.
3. The District Registrar,
102, State Bank Road,
Gopalapuram,
Coimbatore – 641 018.
4. The Sub-Registrar,
Sub-Registrar Office No.1,
District Registrar Office,
Coimbatore – 641 018.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the



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respondents particularly the first respondent to consider the petitioner representation dated 16.05.2022 in respect of deletion of S.F.No.593/3/B4, 593/3/B6 and S.F.No.593/3A in respect of site No.17 and site No.14 in Kuruchi Village, Coimbatore and consequently delete the wrong entries from the encumbrance certificate.

For Petitioner : Mr.V.Nandakumar
For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the first respondent to consider the petitioner representation dated 16.05.2022 in respect of deletion of S.F.No.593/3/B4, 593/3/B6 and S.F.No.593/3A in respect of site No.17 and site No.14 in Kuruchi Village, Coimbatore and consequently delete the wrong entries from the encumbrance certificate.

2. The petitioner claims that they purchased the property at S.No.593, and subsequently sub-divided as 593/3/B4, 593/3/B6 and S.F.No.593/3A at Kuruchi Village, Coimbatore on 27.01.2012, since then they have been in enjoyment of the property and the said purchase has an



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encumbrance and it has been registered in the records of the Registrar office concerned.

3. However, when the petitioners now attempt to make sale of the said property, they have found that the property has been attached by a Court proceedings and that encumbrance has been registered in the records. When they verified further, they came to know that the attachment has been made in respect of the property at S.No.571/B/1 at Kuruchi Village and not the property of the petitioner i.e., 593/3 and the extent also differs, therefore, it is a wrong entry made in respect of the property, therefore, in order to remove the wrong entry, the petitioners have moved the present writ petition.

4. Reiterating the aforesaid Mr.V.Nandakumar, learned counsel appearing for the petitioner seeks indulgence of this Court.

5. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents, who would submit that, if at all it is a wrong entry according to the petitioner, based on which, the



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petitioners have given representation on 16.05.2022, the same would be considered and decided by the third respondent District Registrar and the needful would be undertaken within a time frame that may be stipulated by this Court.

6. Having regard to the said submission made by the learned counsel appearing for the parties and having taken note of the said stand taken by the learned Special Government Pleader appearing for the respondents, this Court is inclined to dispose of this writ petition with the following orders:

- ◆ That there shall be a direction to the third respondents to consider the representation of the petitioner dated 16.05.2022 and pass orders thereon on merits and in accordance with law within a period of four(4) weeks from the date of receipt of a copy of this order.
- ◆ It is made clear that since the said representation addressed to the second respondent, a copy of the said representation shall be annexed along with the copy of this order and be sent to the third respondent and on receipt of the same, the needful shall be



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undertaken by the third respondent as indicated above.

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With these directions, this writ petition is disposed of. No costs.

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Index : Yes/No
Speaking order: Yes/No

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To

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R. SURESH KUMAR, J.

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