



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.5422 of 2022

WEB COPY

Arunmathi

... Petitioner

Vs.

1.The District Registrar,
Karaikudi,
Sivagangai District.

2.The Sub-Registrar,
Thiruppathur,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to remove the entry made in the encumbrance certificate in Serial No.14 and 15 in respect of the petitioner's property in S.No.408/1A1F situated at Kalaiyappa Nagar, Thiruppathur Town, Sivagangai District within the time stipulated by this Court.

For Petitioner : Mr.P.Venkata Subramanian

For Respondents : Mr.S.Shanmugavel

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to remove the entry made in the encumbrance certificate in Serial No.14 and 15 in respect of the petitioner's property in S.No.408/1A1F situated at Kalaiyappa Nagar, Thiruppathur Town, Sivagangai District, within a time frame to be fixed by this Court.

2.Heard Mr.P.Venkata Subramanian, learned Counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader who accepts notice on behalf of the respondents.

3.On instructions, learned Additional Government Pleader would submit that the representation of the petitioner has already been considered and the same has been rejected by order dated 28.04.2021. He would therefore submit that the only remedy available to the petitioner is to challenge the said order in the manner known to him under law.



4.Learned Counsel for the petitioner on instructions is now agreeable to challenge the said order and he seeks for such a liberty from this Court.

5.Accordingly, this Writ Petition is disposed of by granting liberty to the petitioner to challenge the order dated 28.04.2021 passed by the second respondent rejecting the petitioner's representation seeking for removal of the entry in the encumbrance certificate in Serial No.14 and 15 in respect of the petitioner's property in S.No.408/1A1F situated at Kalaiyappa Nagar, Thiruppathur Town, Sivagangai District in the manner known to the petitioner under law.

6.With the aforesaid liberty, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1.The District Registrar,
Karaikudi,
Sivagangai District.

2.The Sub-Registrar,
Thiruppathur,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-15049[F] dated 29/03/2022)

ORDER MADE IN

W.P.[MD]No.5422 of 2022

28.03.2022

NSN(CO)

GC(06.04.2022) 2P 4C