



W.P.No.17249 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 22.11.2023

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.P.No.17249 of 2011

1.M.S.Yakubudeen
2.Y.Rajabunnisa

.. Petitioners

Vs.

1.The Commercial Tax Officer
Perambur - I Assessment Circle
Chennai 600 011

2.The Sub Registrar
Purasawalkam
Perambur Barracks Road
Chennai 600 007

3.The Recovery Officer
Debts Recovery Tribunal-II
4th Floor, Spencer Tower
770-A, Anna Salai
Chennai 600 002

4.The Manager
Punjab National Bank
Sowcarpet Branch
Chennai

5.P.Ganesh Kumar

6.Priya Ganesh Kumar

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st respondent to raise the attachment over the property in old Door No.4, New No.10, Plot No.9, Balamurugan Street, Parthasarathy Nagar, Vysarpadi, Chennai 600039, in R.S.No.473/3 (part) and 473/24 and consequently to direct the 2nd respondent to delete the attachment/encumbrance over the said property reflected in his books.

For Petitioners : Mr.M.Devaraj
For R1 : Mr.M.Venkateswaran
Special Government Pleader
For R2 : Mrs.S.Anitha
Special Government Pleader

ORDER

(Order of the court was made by R. MAHADEVAN, J.)

Seeking a direction to the 1st respondent to raise the attachment over the property in old Door No.4, New No.10, Plot No.9, Balamurugan Street, Parthasarathy Nagar, Vysarpadi, Chennai 600 039 in R.S.No.473/3 (part) & 473/24 and also for a consequential direction to the 2nd respondent to delete the attachment/encumbrance over the said property reflected in his books, the petitioners have preferred this writ petition.

2. Today, when the matter was taken up for consideration, the learned Special Government Pleader appearing for the 1st respondent, on instructions,



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submitted that during the pendency of this writ petition, attachment was lifted, as the defaulters have paid the arrears amount under Samadhan Scheme, 2023 and hence, nothing survives for further adjudication herein. The learned counsel has also produced a copy of encumbrance certificate dated 20.11.2023, to that effect.

3. The learned counsel appearing for the petitioners fairly conceded the aforesaid submissions made on the side of the respondent authorities.

4. Recording the above, this writ petition stands closed. No costs.

[R.M.D,J.] [M.S.Q, J.]

22.11.2023

Neutral Citation : Yes/No
gya

To
1.The Commercial Tax Officer
Perambur - I Assessment Circle
Chennai 600 011

2.The Sub Registrar
Purasawalkam
Perambur Barracks Road
Chennai 600 007



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AND

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