



W.P.(MD)No.18852 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18852 of 2020

Balakrishnan

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Registration Department ,
Mannarpuram,
Trichy.

2.The District Registrar
District Court Campus, Trichy.

3.The Sub Registrar-I,
Sub Registrar Office,
District Court Campus,
Trichy.

4.Sarasu @ Sarasammal

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to incorporate the order of Attachment passed on 19/12/2016 in I.A.No. 890/2016 in OS.No.302/2016 by the District Munsif Court, Musiri in the Encumbrance Certificate by considering the representation dated 03/12/2020.

For Petitioner

: Mr.N.Mohan



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For R-1 to R-3 : Mr.K.S.Selvaganesan,
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the third respondent to incorporate the attachment order passed in I.A.No.890/2016 in OS.No.302/2016 by the District Munsif Court, Musiri, in the Encumbrance Certificate after considering the representation made by the petitioner on 03.12.2020.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The learned Additional Government Pleader appearing on behalf of the respondents submitted that the petitioner can be directed to give a fresh representation along with the connected documents before the third respondent and the same will be acted upon by the third respondent.

4. The learned counsel appearing for the petitioner submitted that during the pendency of this Writ Petition, the suit was also decreed *exparte* in favour of the petitioner.



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5. Taking into consideration the facts and circumstance of the case and after taking note of the order passed by the learned District Munsif, Musiri in I.A.No.890/2016 in OS.No.302/2016 attaching the subject property, there shall be a direction to the petitioner to make a fresh representation to the third respondent along with all the relevant documents and on receipt of the same, the third respondent is directed to act upon the same and make necessary entry in the Encumbrance Certificate. This process shall be completed by the third respondent within a period of two (2) weeks from the date of receipt of the fresh representation from the petitioner.

6. This Writ Petition is disposed of with the above directions.

No costs.

09.10.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

tsg

To

- 1.The Deputy Inspector General of Registration,
Registration Department,
Mannarpuram,
Trichy.
- 2.The District Registrar
District Court Campus, Trichy.
- 3.The Sub Registrar-I,
Sub Registrar Office,
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