



W.P(MD)No.27964 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27964 of 2022

S.P.Gunasekaran

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Registration Department, Thirumohur Road,
Othakadai, Madurai.

2.The District Registrar,
Combined Registration Department Complex,
TNAU Nagar, Rajakambiram,
Thirumohur Road, Othakadai,
Madurai - 625107.

3.The District Registrar (Admn),
Full Charge, Periyakulam,
Theni District.

4.The Sub Registrar,
Office of Sub Registrar,
Vadakarai, Periyakulam Taluk,
Theni District.

5.The Assistant Manager,
M/s.Kotak Mahindra Bank Ltd.,
1-A, West Perumal Maistry Street,
Madurai 625 001.

... Respondents

*(R5 is suo motu impleaded vide order dated
19.01.2023 in W.P.(MD)No.27964 of 2022 by GRSJ)*



W.P(MD)No.27964 of 2022

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to remove the entry of attachment before judgment in respect of petitioner's properties covered by registered sale deed dated 01.09.2014 vide Doc. No.1713/2014 and dated 17.12.2014 vide Doc. No.2173 of 2014 as per the order dated 22.07.2014 made in A.Nos.5026 of 2010 and 4557 of 2014 passed by the High Court, Original Side, at Chennai raising attachment.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.S.Shanmugavel.

Addl. Government Pleader for R1 to R4.
Mr.AN.Ramanathan for R5.

ORDER

Heard the learned counsel on either side.

2.The petitioner had availed financial assistance from the fifth respondent. The petitioner has since cleared his liability. All that the petitioner wants is registration of the order dated 22.07.2014 made in Application Nos. 5026 of 2010 and 4557 of 2014.

3.No exception can be taken to the said request. It is well settled that the time limit stipulated in Section 23 of the Registration Act is not applicable to



W.P(MD)No.27964 of 2022

Court judgments and decrees. The fifth respondent has also no objection. The fourth respondent is directed to register the petition mentioned Court orders.

This shall be done immediately and without any delay subject to fulfilment of usual formalities. Once the raising of attachment is registered, there cannot be any impediment for registering subsequent transactions. The registering authority will not insist that the presentant should obtain one more Court order.

4.The writ petition is allowed on these terms. No costs.

08.02.2023

NCC : Yes/No

Index : Yes / No

Internet : Yes/ No

ias

To:

1.The Deputy Inspector General of Registration,
Registration Department, Thirumohur Road,
Othakadai, Madurai.

2.The District Registrar,
Combined Registration Department Complex,
TNAU Nagar, Rajakambiram,
Thirumohur Road, Othakadai,
Madurai - 625107.

3.The District Registrar (Admn),
Full Charge, Periyakulam,
Theni District.

4.The Sub Registrar,
Office of Sub Registrar,
Vadakarai, Periyakulam Taluk,
Theni District.



WEB COPY



W.P(MD)No.27964 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.27964 of 2022

08.02.2023