



W.P.No.3177 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3177 of 2024

Sankara Muthammal

... Petitioner

versus

1.The Sub Registrar,
Office of the Sub Registrar,
Velacherry,Chennai – 600 042.

2.JM Financial Asset Re-Construction Company Ltd.,
40/1A, 4th Floor,Basappa Complex,
Next to Hotel Regalis,
Lavelle Road,
Bangalore – 560 001.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to register the sale certificate dated 29.08.2023 in the name of the petitioner based on e-auction dated 16.08.2023 conducted by the second respondent on behalf of the State Bank of India to be registered in Book No.I as per Section 89 of the Registration Act, 1908.

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For Petitioner : Mr.G.Veerapathiran
For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader for R1

ORDER

Mr.Yogesh Kannadasan, learned Special Government Pleader accepts notice for the first respondent. Since this writ petition is being disposed of without passing any adverse orders against the second respondent, affecting its interest, notice to the second respondent is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the first respondent to register the sale certificate dated 29.08.2023 in the name of the petitioner based on e-auction dated 16.08.2023 conducted by the second respondent on behalf of the State Bank of India to be registered in Book No.I, as per Section 89 of the Registration Act, 1908.

3. Heard both sides and perused the materials available on record.



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4. Having regard to the submissions made by the learned counsel on either side, this Court, at this stage, is not expressing any view on the merits of the matter, directs the first respondent to consider the application dated 17.11.2023 and register the Sale certificate, dated 29.08.2023 in the name of the petitioner, if the document is otherwise in order. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

13.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

The Sub Registrar,
Office of the Sub Registrar,
Velacherry, Chennai – 600 042.



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P.VELMURUGAN, J.

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