



WEB COPY



WP.No.11817 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11817 of 2024

Devi

.. Petitioner

Versus

The District Registrar
Tiruvallur Registrar Office Complex
Tiruvallur

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to remove the entry in the encumbrance certificate dated 21.09.1995 in Document No.3799 of 1995 on the file of Sub-Registrar, Red Hills with respect to the petitioner's property at Plot No.17, Survey No.567/2B, "Sapthagiri Vasa Nagar", Vilankattupakkam, Red Hills, Chennai.

For Petitioner : Mr.T.K.S.Gandhi
For Respondent : Mr.B.Vijay
Additional Government Pleader

ORDER

This writ petition is filed for a direction to the respondents to remove the entry in the encumbrance certificate dated 21.09.1995 in Document No.3799 of 1995 on the file of Sub-Registrar, Red Hills with respect to the petitioner's property at Plot No.17, Survey No.567/2B, "Sapthagiri Vasa Nagar", Vilankattupakkam, Red Hills, Chennai.



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2. The petitioner submitted a representation on 03.04.2024 with a request remove the entry in the encumbrance, however, the same is pending without consideration. Hence, this writ petition.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

5. At the outset, this Court is of the view that mere reflection of entry of earlier document of the year 1995, that too, it is only a sale agreement, the same will not be a bar for the petitioner to deal with the property which is also held by the Division Bench of this Court in the case of *N. Ramayee v Sub-Registrar*, reported in (2020) 6 CTC 697.

6. Such view of the matter, if any document has to be registered, the same shall not be refused to be registered mainly on the ground of encumbrance relating to the sale agreement.



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7. With the above direction, this writ petition is disposed of. No costs.

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dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

The District Registrar
Tiruvallur Registrar Office Complex
Tiruvallur



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N. SATHISH KUMAR, J.

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