



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.14948 of 2024

Shanthi

...

Petitioner

versus

1.The District Registrar,
District Registrar Office,
Dindivanam,
Tamil Nadu - 604 001.

2.The Sub Registrar,
Dindivanam Joint I,
Sub Registrar Office,
Dindivanam,
Tamil Nadu - 604 001.

3.Alli(a) Kamalammal

4.Ravichandran

5.Sanbasha

...

Respondents

(R-3 to R-5 impleaded *vide* order dated 19.06.2024 made in W.M.P.No.17570 of 2024 in W.P.No.14948 of 2024)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to remove the entry of the Mortgage Deed without possession registered as Document No.560/1984 on the file of the second respondent i.e. The Sub Registrar, Dindivanam Joint I, Dindivanam as an encumbrance on the property.



For Petitioner

: Mr.B.Nithish Kumar
for Mr.R.V.Babu

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For Respondent Nos.1 & 2

: Mr.B.Vijay
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the second respondent to remove the entry of the Mortgage Deed without possession registered as Document No.560/1984, as an encumbrance on the property.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2 and perused the materials available on record.

3. It is the grievance of the writ petitioner that she has purchased the property in the year 1996 and she is in possession of the property. However, as an encumbrance, there was an entry relating to the mortgage deed executed in the year 1984 by the respondents 3 and 4 in favour of the fifth respondent. Hence, according to the petitioner, the mortgage has not been in force as the period of limitation is also over.



4. Since the respondents 3 and 4 are mortgagees, this Court has

5. As far as the direction sought to remove the entry relating to

6. In such view of the matter, the relief of seeking to remove the



7. With the above observations, this Writ Petition is disposed of.

No costs.

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24.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

1.The District Registrar,
District Registrar Office,
Dindivanam,
Tamil Nadu - 604 001.

2.The Sub Registrar,
Dindivanam Joint I,
Sub Registrar Office,
Dindivanam,
Tamil Nadu - 604 001.



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N.SATHISH KUMAR, J.

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