



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 19.07.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**W.P.No.19865 of 2024**

Anoushka Commodities Pvt Ltd.  
Rep. by its Managing Director Mamta Daga,  
No 281/4, 16<sup>th</sup> KM Milestone,  
Thanipondi, Gummidipoondi Taluk,  
Tiruvallur District - 601 202. ...

Petitioner

***versus***

- 1.The District Registrar (Administration),  
Office of the District Registrar,  
Tiruvallur District,  
Tiruvallur.
- 2.The Deputy Inspector General of Registration [DIG],  
26F GV8, Offices of the Commercial Taxes  
and Registration Department,  
Fanpet, Nandanam,  
Chennai - 600 035.
- 3.Sub Registrar,  
SRO Gummidipoondi,  
Chennai - 600 035.
- 4.Inspector General of Registration,  
No.100, Santhome High Road,  
Pattinapakkam,  
Chennai - 600 028.



5.Catholic Syrian Bank,  
Mount Road Branch,  
7<sup>th</sup> Floor, Rani Seethai Hall,  
603 Anna Salai,  
Chennai - 600 006.

6.Harakh Chand Golecha  
7.Uttam Chand Golecha  
8.Snehalatha  
9.Surekha

...

Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to act on the letter issued by the first respondent dated 18.08.2023 bearing No.7220/E2/2022.

For Petitioner : Mr.P.J.Rishikesh

For Respondent Nos.1 to 4 : Mr.B.Vijay  
Additional Government Pleader

### **ORDER**

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the second respondent to act on the letter issued by the first respondent dated 18.08.2023 bearing No.7220/E2/2022.



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3. It is the case of the petitioner that her property has been sold in SARFAESI proceedings treating it as agricultural land however, it is an industrial area. In this regard, a Sale Certificate has been issued and registered before the SRO, Gummidipoodi.

4. The petitioner sent representations dated 19.12.2022, 20.01.2023 and 01.02.2023. The first respondent has issued a letter dated 14.02.2023 requesting the second respondent to clarify on the representation issued by the petitioner with respect to the classification of the land and valuation of land and building. As there was no action by the second respondent, the first respondent issued yet another letter on 18.08.2023. However, they have not acted upon the representation. Hence, she seeks a direction.

5. On perusal of the entire affidavit of the writ petitioner indicates that the petitioner is in fact trying to gather evidence for the purpose of an appeal filed before the DRT challenging the Sale Certificate.



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6. It is relevant to note that once the Sale Certificate has already been registered and no proceedings have been initiated under Section 47-A of the Indian Stamp Act, at this stage, the petitioner, who is the borrower, whose property has been brought for auction under SARFAESI Act, by indirect method seeks the help of the authorities to canvass his case before the DRT. Hence, I do not find any merits in the Writ Petition.

7. Accordingly, this Writ Petition is dismissed. No costs.

**19.07.2024**

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

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**N.SATHISH KUMAR, J.**

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