



WEB COPY



W.P.No.21615 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.21615 of 2024
W.M.P.Nos.23589 & 23592 of 2024

1.P.S.Girish Kumar

2.P.S.Pushpa

...Petitioners

Vs

1.Inspector General of Registration,

No.100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam, RA Puram,
Chennai – 600 028.

2.The Sub-Registrar, Sowcarpet,

No.69, Armenian Street,
Georgetown,
Chennai – 600 001.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue Writ of Mandamus, directing the 2nd respondent to remove the entry of attachment made by 2nd respondent dated 26.12.2023 registered as Document No.8/ 2023 in respect of property admeasuring an extent of 3028 Sq.feet in S.No. 7507 O.S. No.4011 (part) 4010 C.C. No.1416 Block No.64 Ward No.001, Muthalipet Village, bearing Old Door No.18, New Door No.35, Nambuliar Street Sowcarpet, Chennai – 79.



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For Petitioners : Mr.R.Vishnu

For Respondents : Mr.P.Harish (For R1 & R2)
Government Advocate

ORDER

The present Writ Petition has been filed seeking direction to the 2nd respondent to remove the entry of attachment made by 2nd respondent dated 26.12.2023, registered as Document No.8/2023 in respect of property admeasuring an extent of 3028 Sq.feet in S.No. 7507 O.S. No.4011 (part), 4010, C.C. No.1416, Block No.64, Ward No.001, Muthalipet Village, bearing Old Door No.18, New Door No.35, Nambuliar Street Sowcarpet, Chennai – 79.

2.The entry in the encumbrance has been made on the basis of alleged attachment order in A.R.C.No.199 of 2015 on the file of the Principle City Civil Court, Greater Mumbai.

3.The petitioner's contention is that this attachment order itself is fraudulent one. Since, there is no such proceedings pending on the file of the Principle City Civil Court, Greater Mumbai. To prove the same, they



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have enclosed a reply given to the Advocate dated 12.03.2024 from the Registrar in-charge, The Principle City Civil Court, Greater Mumbai, referring to the case number and submitting as follows:-

With reference to the subject noted above and letter under reference, I have to state that having gone through the material on records, it reveals that no such case has been filed in this Court, and consequently no such warrant has been issued by this Court.

4. Therefore, in the light of the above, the entry has been made on the basis of a non-existent and manipulated document, therefore, the entry shall be removed within a period of two weeks from the date of receipt of copy of this order.

5. Accordingly, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

20.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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P.T.ASHA, J.

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To

1. Inspector General of Registration,

No.100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam, RA Puram,
Chennai – 600 028.

2. The Sub-Registrar, Sowcarpet,

No.69, Armenian Street,
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