



Arb.Appln.No.501 of 2024
in A.No.4117 of 2017

K.KUMARESH BABU, J.

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This present Application has been filed to raise the order of attachment dated 14.11.2017 made in Application No.4117 of 2017 attaching the immovable property morefully described in the schedule to the Judges summons and a copy of the order raising attachment be transmitted through the Sub Court, Coimbatore and communicated to SRO Thondamuthur.

2. Heard Mr.D.Pradeep Kumar, learned counsel for the applicant.

No appearance on behalf of the respondent.

3. The learned counsel for the applicant would submit that an order of attachment came to be passed by this Court at the request of the applicant herein and that with regard to the very same property SARFAESI proceedings had been initiated in another loan agreement entered to with the second respondent and pursuant to the said SARFAESI proceedings, a Sale Certificate had also been issued in favour of the buyer. However, the Sub Registrar has refused to register the Sale Certificate in view of the order of attachment dated 14.11.2017 and therefore, he would pray that this court to raise the order of attachment enabling them to register the Sale Certificate in respect of the sale made



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pursuant to the SARFAESI proceedings.

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4. Since, the present application had been filed by the applicant himself to raise the attachment on whose instance the order of attachment has been passed, I am inclined to raise the order of attachment.

5. In fine, the order of attachment dated 14.11.2017 made by this Court in A.No.4117 of 2017 is ordered to be raised. A copy of this order shall also be marked to the Office of the Sub Registrar, Thondamuthur, Coimbatore to enable them to register the Sale Certificate. However, there shall be no order as to costs.

Gba

05.09.2024

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