



W.P.No.30104 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.30104 of 2024
and WMP.No.32804 of 2024

1.Nitesh Chaudhary
2.Ashish Chaudhari
3.Jaishree Bhansal

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep by Secretary to Government,
Revenue Department,
Fort St.George,
Chennai – 600 009.

2.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

3.The District Registrar,
North Chennai Registration District,
Second Line Beach,
Chennai – 600 001.

4.The Sub Registrar,
Tiruvottiyur,
Office of the Sub Registrar,



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No.2118, Market Street,
Kaladipet, Tiruvottiyur,
Chennai – 600 019.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encumbrance on the properties belonging to the petitioners comprised in S.Nos.686/1, 689/2 (part) and 690/1 having a total extent of 2.93 acres of land situated at No.144, Vallur Village, Ponneri Taluk, Thiruvallur District by complying with the common order passed by this Court in W.P.Nos.28454 and 34676 of 2022 dated January 30, 2024 and direct the respondents to pay appropriate cost for the proceedings.

For Petitioner : Mr.Athiban Vijay A.K
For Respondents : Mr.M.Shahjahan
Special Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.



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2. The writ petition is filed seeking direction to the respondents to remove the encumbrance reflected in the encumbrance certificate pertains to the properties situated in S.Nos.686/1, 689/2 (part) and 690/1 having a total extent of 2.93 acres of land situated at No.144, Vallur Village, Ponneri Taluk, Thiruvallur District by complying the common order passed by the Division Bench of this Court in W.P.Nos.28454 and 34676 of 2022, dated 31.01.2024.

3. It is the case of the petitioner that the writ petition filed by him was allowed by the Division Bench and provisional attachment order passed against the petitioner was quashed. It is also stated that there was a direction by the Division Bench to remove the encumbrance relating to the provisional attachment order. If the direction issued by Division Bench to the official respondents to remove the encumbrance has not been complied, it is for the petitioner to move contempt petition. It is not open to the petitioner to file another writ petition seeking implementation of the order passed by the Division Bench. Therefore, this Court is not inclined to entertain the writ petition and accordingly, the writ petition is dismissed.



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However, it is open to the petitioner to approach the Division Bench for appropriate orders. No costs. Consequently, connected miscellaneous petition is closed.

15.10.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

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S.SOUNTHAR, J.

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