



WP.No.34004 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.34004 of 2022

G.Veenaiterthal

.. Petitioner

Versus

The Sub Registrar,
Sub Registrar Office, Vadavali
Sub Registration District
Coimbatore Registration District
Coimbatore

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to allow the petitioner to carry on the registration pertaining to his Plot at Site No.49(Plot) and Plot No.26, in Sri Balaji Hill View Farm Land Phase – I, in No.24, Veerapandi Village, Coimbatore North Taluk, Vadavali Sub Registration District, Coimbatore Registration District which falls within Survey No.732 and Survey No.735 of the said Village by following the judgment reported in W.P.No.8422 of 2021 dated 16.07.2021 and considering the petitioner's representation dated 15.12.2021.

For Petitioner : Mr.R.Gokulakrishnan

For Respondent : Mr.B.Vijay
Additional Government Pleader



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ORDER

This writ petition is filed for a direction to the respondent to permit the petitioner to present the document for registration of the schedule properties.

2. According to the petitioner, she is the absolute owner of the schedule property by virtue of sale deeds dated 12.03.2008 and 22.03.2008. When the petitioner wanted to execute a settlement deed and a will, she came to know that the said property has been attached in C.S.No.888 of 2007 by order dated 01.09.2009 in A.No.1540 of 2008. Thereafter, she filed an application in A.No.2034 of 2022 seeking to raise the attachment and this Court by Order dated 02.03.2023 allowed the application and had raised the attachment. Hence, seeks a direction.

3. Heard both sides and perused the materials placed on record.

4. The order of this Court in A.No.2034 of 2022 dated 02.03.2023, when perused would indicate that the attachment order was passed by this Court on 01.09.2009 in an application in civil suit filed against the vendor of the petitioner on the ground that the property is still owned by the petitioner's vendor. However, this Court allowed the application filed by the petitioner for raising the attachment, since the petitioner has purchased the property on



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12.03.2008, prior to order of attachment, i.e., 01.09.2009.

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5. Such view of the matter, since, this Court by an order dated 02.03.2023 made in A.No.2034 of 2022 in C.S.No.888 of 2007 has raised the attachment in the schedule properties. Therefore, the respondent is directed to remove the entries in the encumbrance and permit the petitioner to deal with the property.

6. With the above directions, this Writ Petition stands disposed of. No costs.

18.04.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To

The Sub Registrar,
Sub Registrar Office, Vadavali
Sub Registration District
Coimbatore Registration District
Coimbatore



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N. SATHISH KUMAR, J.

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