



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12987 of 2024

Bairavan

... Petitioner

Vs.

1. The District Registrar,
O/o.the District Registrar,
Theni District.

2. The Sub Registrar,
Bodinayakkanur Sub Registrar Office,
Theni District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the 2nd respondent in Refusal Number RFL/Bodinayakkanur/14/2024 dated 02.05.2024 and quash the same and further direct the 2nd respondent herein to forthwith register the Memorandum of the Deposit of Title Deed dated 02.05.2024 presented by the petitioner in favour of SMFG India Home Finance Co.Ltd. (Formerly Fullerton India Home Finance Co.Ltd.,) having its registered office at Megh Towers, 3rd floor, Old No.307, New No.165, P.H.Road, Maduravoyal, Chennai.

For Petitioner : Mr.M.Shakulhameed

For R-1 & R-2 : Mrs.D.Farjana Ghoushia,
Special Government Pleader.

* * *



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ORDER

Heard both sides.

2. The petitioner wants to mortgage the petition mentioned property by depositing the original title deed.

3. When the document was presented, the registering authority refused registration on the ground that the subject matter has been attached. The case details have also been mentioned in the refusal check slip. Challenging the same, the present writ petition came to be filed.

4. It is stated that O.S.No.25 of 2013 was filed on the file of the Principal District Judge, Theni in which an attachment order was passed in I.A.No.45 of 2014 and it had been withdrawn. I called upon the learned Special Government Pleader to confirm, if the statement is correct.

5. Today when the matter was taken up for hearing, the learned Special Government Pleader informed the Court that the suit was withdrawn. Therefore, the impugned refusal check slip is quashed. The



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petitioner is permitted to re-present the document in question and the same shall be registered and released subject to fulfilment of the other usual formalities. This writ petition stands allowed. No costs.

28.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Registrar,
O/o.the District Registrar,
Theni District.
2. The Sub Registrar,
Bodinayakkanur Sub Registrar Office,
Theni District.



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G.R.SWAMINATHAN,J.

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