



W.P(MD)No.22474 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22474 of 2023

Dhanapal

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar Office,
Lalgudi,
Trichy.

2.P.Ganapathy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to remove the registration entries of the lease agreement registered in Doc.No. 4482/2015 on his file, in the encumbrance certificate by considering the petitioner's representations dated 09.08.2023 and 04.09.2023.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.B.Saravanan
Additional Government Pleader for R.1



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ORDER

The prayer made in the writ petition is misconceived. Admittedly, the petitioner has leased out the property. It was duly registered. The lease period has since expired. The lessee appears to have been evicted also. The petitioner is in possession. Nothing stops the petitioner from dealing with the property. The prospective purchaser can satisfy himself that the property is in the petitioner's possession and thereafter he purchase the property. The registering authority cannot be directed to remove the petition mentioned entry. Once a document has been registered, it has to be necessarily reflected in the encumbrance register. It is for the petitioner to satisfy the prospective purchaser. The relief sought for cannot be granted.

2.This writ petition stands dismissed. There shall be no order as to costs.

03.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA



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To
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The Sub Registrar,
Sub Registrar Office,
Lalgudi,
Trichy.



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G.R.SWAMINATHAN,J.

MGA

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