



W.P.(MD)No.25504 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.25504 of 2024

T.Ravichandran

: Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Rajakambeeram Othakadai (Post),
Thirumohoor Via,
Madurai District.

2.The Sub-Registrar,
Chettikulam Sub-Registrar Office
(former Chokkikulam Sub-Registrar Office),
Madurai.

3.Pandi

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent to delete the entry of the sale agreement dated 17.06.2004 in Doc.No.2363/2004 from the Encumbrance Certificate maintained in the office of the second respondent by considering the



W.P.(MD)No.25504 of 2024

petitioner's representation dated 24.09.2024 within stipulated time as prescribed by this Court.

For Petitioner : Mr.S.Vellaisamy
For Respondents 1&2 : Mr.C.Satheesh
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to delete the entry of the sale agreement dated 17.06.2004 in Document No.2363/2004 from the Encumbrance Certificate maintained in the office of the second respondent.

2.The petitioner prior to the filing of this writ petition has given a representation on 24.09.2024, to the official respondents for the aforesaid purpose. Since the said representation has not been considered, he has filed this writ petition.

3.The petitioner claims that the sale agreement referred to supra has been cancelled. But however, the cancellation of the sale agreement is not reflected in the Encumbrance Certificate. Therefore, he seeks for cancellation of the sale agreement from the Encumbrance Certificate.



W.P.(MD)No.25504 of 2024

WEB COPY

4.No prejudice will be caused to the respondents if the petitioner's representation as stated supra is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the third respondent who is the alleged purchaser under the said sale agreement.

5.For the foregoing reasons, this Writ Petition is disposed of, by directing the second respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 24.09.2024, seeking for deletion of the entry of the sale agreement dated 17.06.2004 in Document No.2363 of 2004, from the Encumbrance Certificate maintained in the office of the second respondent, after affording a fair hearing to the petitioner and the third respondent within a period of twelve [12] weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

25.10.2024

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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W.P.(MD)No.25504 of 2024

To

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W.P.(MD)No.25504 of 2024

ABDUL QUDDHOSE, J.

MR

W.P.(MD)No.25504 of 2024

25.10.2024