



W.P.(MD)No.28820 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.28820 of 2024

Veerasamy

...Petitioner

-Vs-

1.The District Registrar,
The District Registrar Office,
Dindigul District.

2.The Sub Registrar,
The Sub Registrar Office,
Vedasandur Taluk,
Dindigul District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing 2nd Respondent to delete the entries relating to the registration of Sale agreement vide Doc.No.1396/2002 dated 25.11.2002 comprised in Survey Number 586, 588/2, 589/2, 581/4 by considering the petitioner's representation on 05.09.2024 and for other reliefs and to pass such further or other orders as this Court.

For Petitioner : Mr.S.Harish

For Respondents : Mr.S.P.Maharajan
Special Government Pleader



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ORDER

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This writ petition has been filed for a direction, directing the second respondent to delete the entries related to the registering the sale agreement dated 25.11.2002 vide document No.1396 of 2002 in respect of the subject property comprised in Survey No.586, 588/2, 589/2, 581/4 situated at Vendasandur Taluk, Dindigul District.

2.The petitioner has owned the property comprised in Survey No.586, 588/2, 589/2, 581/4 situated at Vendasandur Taluk, Dindigul District. Therefore, the petitioner has entered into an agreement for sale with one Soundarajan registered vide document No.1396 of 2002, dated 25.11.2002. However, the petitioner failed to execute any sale deed and as such, the said Soundarajan filed a suit for specific performance in O.S.No.214 of 2004 and the same was decreed in his favour.

3.Aggrieved over the same, the petitioner has preferred an appeal in A.S.No.43 of 2008 on the file of the Dindigul District Fast Track Court and it was dismissed and aggrieved over the same once again, the petitioner has preferred an appeal before this Court in Second Appeal No.315 of 2010. It was disposed of by this Court with a direction, directing the petitioner to deposit the



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amount which was borrowed from the decree holder with interest. Aggrieved over the same, the said Soundarajan has filed an appeal before the Hon'ble Supreme Court and the same was also dismissed.

4. Thereafter, the petitioner has submitted a representation before the second respondent to delete the entries for agreement of sale dated 25.11.2002 in respect of the subject property. The registering authority has no power to remove or delete entry in the Encumbrance Certificate in respect of the subject property. However, the registering authority can make entry about the full satisfaction memo of the execution proceedings, if the petitioner has settled the entire amount as directed by this Court in the execution proceedings. The petitioner obtained a certified copy of the full satisfaction memo from the execution Court and it can be only entered in the encumbrance of the subject property by the registering authority.

5. In view of the above, the petitioner is directed to submit a certified copy of the full satisfaction memo in the execution proceedings before the second respondent and on receipt of the same, the second respondent can very well make entry about the same in the encumbrance of the subject property.



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6. With the above said directions, this writ petition stands disposed of. No

costs.

02.12.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The District Registrar,
The District Registrar Office,
Dindigul District.

2. The Sub Registrar,
The Sub Registrar Office,
Vedasandur Taluk,
Dindigul District.



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G.K.ILANTHIRAIYAN. J,

RJR

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