



W.P.(MD)No.29119 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.29119 of 2024

N.Vasantha

...Petitioner

-Vs-

1.The District Registrar,
District Registrar Office,
Pudukottai,
Pudukottai District.

2.The Sub Registrar,
Sub Registrar Office,
Perungalur,
Pudukottai District.

3.The Deputy Registrar of Cooperative Societies,
Anna Vasal Roadk,
Pudukottai,
Pudukottai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, direct the 1 and 2 respondents herein to pass necessary orders to remove the entry reflected in the encumbrance certificates by the order of attachment passed by the 3rd respondent in C.E.P.No.3/2015-16 dated 22.06.2015 in attaching 3rd item of the property in the said order for the property in S.Nos.342/2 and 342/3 measuring about 0.12.0 Ares and 0.20.0 Ares situated at Tholuthanpatti Village, Vaithur, Kulathur



W.P.(MD)No.29119 of 2024

Taluk, Pudukottai District based on petitioner's representation dated 28.08.2024 within a time frame as stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu
For Respondent : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition has been filed for a direction, directing the respondents 1 and 2 to remove the entry in the encumbrance certificate by the order of attachment passed by the third respondent, dated 22.06.2015, thereby attached the property comprised in S.No.342/2 & 342/3 measuring in 0.12.0 ares & 0.20.0 ares situated at Tholuthanpatti Village, Vaithur, Kulathur Taluk, Pudukottai District.

2.The petitioner's husband has involved in a criminal case and due to which, the petitioner's property also attached by the third respondent in his proceedings C.E.P.No.3/2015-16 dated 22.06.2015. Therefore, the petitioner has challenged the said attachment order before this Court in W.P.(MD)No. 6834 of 2019. This Court has allowed the writ petition by an order dated 20.12.2022, thereby quashed the order passed by the third respondent in respect of the attachment of the subject property belongs to the petitioner. Therefore,



W.P.(MD)No.29119 of 2024

the petitioner has submitted a representation to delete the entries in respect of the subject property. The second respondent has no power of jurisdiction to delete any entries already made in respect of the subject property.

3.In view of the above, the second respondent is directed to record in the light of the order passed by this Court in W.P.(MD)No.6834 of 2019 in respect of the subject property in the record book No.1 within a period of two weeks from the date of receipt of a copy of this order.

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

04.12.2024

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



W.P.(MD)No.29119 of 2024

G.K.ILANTHIRAIYAN. J,

RJR

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W.P.(MD)No.29119 of 2024

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