



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3768 of 2025

K.Arunakumari

... Petitioner

Vs.

1.The Inspector General of Registration of Tamil Nadu,
Santhome High Road,
Foreshore Estate, Chennai 600 028.

2.The District Registrar (Administration)
Thiruvallur District Registration Office,
Vedanginallur 631 203
Tiruvallur Taluk & District

3.The Sub Registrar,
Ponneri Sub Registration Office,
Ponneri 601 204
Tiruvallur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the Petitioner, dated 19.02.2024 and to rectify the mistake in the encumbrance register regarding the column executant and recipient in respect of the Petitioner's document, Sale Certificate, dated 24.01.2023, vide Document No.594/2023, registered on 28.01.2023, on the file of the Sub-Registrar Office, Ponneri and also to pay costs of this writ petition.



For Petitioner : Mr.R.Munuswamy

For Respondents : Mr.P.Harish
Government Advocate

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd respondent to make the necessary corrections in the entry made in the Encumbrance Certificate, by considering the representation made by the petitioner on 19.02.2024.

2.Heard Mr.R.Muruswamy, learned counsel appearing on behalf of the petitioner and Mr.P.Harish, learned Government Advocate appearing on behalf of the respondents.

3.The main grievance that was expressed by the learned counsel for the petitioner is that the petitioner is an auction purchaser in whose favour the Sale Certificate was issued by the State Bank of India. The petitioner has paid a total sale consideration of nearly Rs.3,37,60,000/- (Rupees Three Crores Thirty Seven Thousand and Sixty Thousand only). While so, when making the entry in the Encumbrance Certificate, the petitioner is shown to be the executant and the bank is shown as the person in whose favour the Sale Certificate was given. In the light of this entry made, the petitioner is not able to deal with the property. Hence, a representation was made to the respondents



seeking for rectifying the wrong entry made in the Encumbrance Certificate. Since the same was not considered, the present writ petition has been filed before this Court.

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4. Taking into consideration the facts and circumstances of the case and considering the grievance expressed by the petitioner, there shall be a direction to the 2nd respondent to deal with the representation dated 19.02.2024 made by the petitioner and make the necessary corrections in the Encumbrance Certificate by showing the bank as the executant and the petitioner as the person in whose favour the Sale Certificate was executed. This process shall be completed, within a period of two weeks from the date of receipt of copy of this order.

5. This writ petition is disposed of with the above directions. No Costs.

07.02.2025

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order
ssr

To

1. The Inspector General of Registration of Tamil Nadu,
Santhome High Road,
Foreshore Estate, Chennai 600 028.



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N. ANAND VENKATESH, J.

SSR

2.The District Registrar (Administration)
Thiruvallur District Registration Office,
Vedanginallur 631 203
Tiruvallur Taluk & District

3.The Sub Registrar,
Ponneri Sub Registration Office,
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