



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4161 of 2025

V.Saravanan

... Petitioner

Vs.

- 1.The District Collector,
Erode District, Erode.
- 2.The District Revenue Officer,
The District Revenue Office,
Erode District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Anthiyur Taluk,
Erode District.
- 4.The Sub-Registrar,
Ammapettai Sub Registrar Office,
Ammapettai,
Anthiyur Taluk,
Erode District.
- 5.The Branch Manager,
Canara Bank,
Bhavani Branch,
Erode District.



6. The Authorized Officer,
Asset Recovery Management,
Canara Bank, ARM Branch,
Gujarati Samaj Buildings,
No.661/1, Mettupalayam Road,
R.S.Puram,
Coimbatore 641 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Refusal Check Slip in refusal number RFL/Ammapettai/81/2024 dated 29.11.2024 and to quash the same as illegal, incompetent and ultravires and consequently direct the 3rd respondent to register the auction sale certificate dated 15.10.2024 executed by the 4th respondent as per section 89(4) of the Registration Act 1908.

For Petitioner : Mr.M.Guruprasad
For Respondents : Mr.B.Vijay
Additional Government Pleader
for R1 to R4
Mrs.S.R.Sumathy for R5

ORDER

This writ petition has been filed challenging the refusal Check Slip dated 29.11.2024 that was issued by the 4th respondent and for a consequential direction to the 4th respondent to receive the Sale Certificate and to make the necessary entry under Section 89(4) of the Registration Act.



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2. Heard Mr.M.Guruprasad, learned counsel appearing on behalf of the petitioner, Mr.B.Vijay, learned Additional Government Pleader appearing on behalf of respondents 1 to 4 and Mrs.S.R.Sumathy, learned counsel appearing on behalf of the 5th respondent.

3.The petitioner is an auction purchaser of the property which was brought for sale by the 6th respondent in the SARFAESI proceedings. The petitioner had purchased S.Nos.131/1 and 132/2. Sale Certificate was also executed in favour of the petitioner. Insofar as S.No.132/1 is concerned, there is an entry in the revenue records to the effect that the land falls within the scope of a conditional patta. Therefore, the 4th respondent has refused to accept the Sale Certificate and has issued the refusal Check Slip and directed the petitioner to get the No Objection Certificate from the concerned authority.

4.In the considered view of this Court, the property in question was already subject matter of SARFAESI proceedings and the property was ultimately brought for sale and the petitioner being the highest bidder has purchased the property and



a Sale Certificate dated 15.10.2024 has been issued in favour of the petitioner by the 5th respondent. The petitioner is also seeking for accepting the document to make necessary entries under Section 89(4) of the Registration Act. In view of the same, it is not necessary for the 4th respondent to get into technicalities and the Sale Certificate that is presented by the petitioner for making necessary entry as per Section 89(4) of the Registration Act shall be entertained and necessary entry shall be made, if it is otherwise in order.

5.In the result, this writ petition stands allowed with the above directions.

No Costs.

14.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

- 1.The District Collector,
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- 2.The District Revenue Officer,
The District Revenue Office,
Erode District.



3. The Revenue Divisional Officer,
Revenue Divisional Office,
Anthiyur Taluk,
Erode District.

4. The Sub-Registrar,
Ammapettai Sub Registrar Office,
Ammapettai,
Anthiyur Taluk,
Erode District.

5. The Branch Manager,
Canara Bank,
Bhavani Branch,
Erode District.



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N. ANAND VENKATESH, J.

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