



W.A.No.2402 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 04.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

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M/s.India Resurgence ARC Private Limited,
(Formerly known as Piramal Assets Reconstruction
Private Limited),

Registered Office at
3rd Floor, Piramal Tower,
Peninsula Corporate Park,
Gannatrankadam Marg,
Lower Parel,
Mumbai – 400 014.

Branch Office at,
No.766, Sakthi Towers,
Executive Zone, Annasalai,
Chennai – 600 002.

Represented by its Authorised Officer
Mr.V.K.Yunus Mohammed

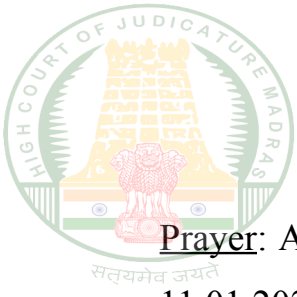
... Appellant / Petitioner

Vs.

1.The Sub Registrar,
Office of Sub Registrar,
Uthukottai – 602 026.

2.Mr.D.Sanjeeva,
No.50/2, Perumalkovil Street,
Melmaligaipattu,
Tiruvallur – 601 103.

... Respondents / Respondents



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Prayer: Appeal under Clause 15 of the Letters Patent, against the Order dated 11.01.2024 passed in W.P.No.34786 of 2023.

For Appellant : Mr.V.Balasubramani
For Respondents :
For R1 : Mr.U.Baranidharan
Special Government Pleader
For R2 : Ms.A.Ajitha

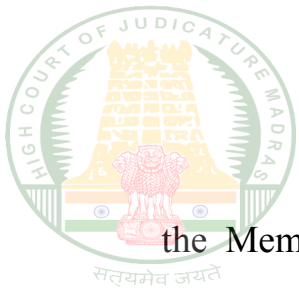
JUDGMENT

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The grievance of the Appellant/Writ Petitioner is that he is the purchaser of the property during e-Auction conducted by the Authorized Officer under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002.

2. The Sale Certificate was issued by the Authorized Officer under the Security Interest (Enforcement) Rules, 2002. The said Sale Certificate was presented for registration under the Registration Act, 1908.

3. The Appellant/Writ Petitioner produced a copy of the Title Deed and the Patta. The reason for refusal of registration is that there is a discrepancy in



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the Memorandum of Deposit of Title Deed and the Sale Deed executed in favour of the borrower. The borrower mistakenly mentioned the properties in the Memorandum of Deposit of Title Deed dated 14.03.2018, registered as Doc.No.523 of 2018.

4. In short, Patta Number has been erroneously mentioned in the Sale Certificate as 2150 instead of 2151. The new Survey Number has also been found to be incorrect.

5. Learned Single Judge of this Court dismissed the Writ Petition by granting liberty to the Appellant/Writ Petitioner to workout his remedy before the 1st Respondent Sub Registrar in the presence of the mortgager.

6. This Court is of the considered view that the Registering Authority cannot correct the Document or the Sale Certificate issued by the Authorized Officer. The Authority who has made incorrect entries alone would be competent to issue a revised document by correcting the mistakes.

7. Therefore, relegating the Appellant/Writ Petitioner to the 1st Respondent/Sub Registrar may not be relevant and in fact, the Appellant/Writ



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Petitioner is to be relegated to approach the Authority who issued the Sale Certificate or the Authority who issued the Memorandum of Deposit of Title Deed. That being so, the Appellant/Writ Petitioner is at liberty to approach the Competent Authority under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 and the Security Interest (Enforcement) Rules, 2002, for making necessary corrections in the Sale Certificate, including the correct description of the properties by following due procedure and thereafter, present the same for registration before the Registering Authority.

8. This Writ Appeal is disposed of with the above observations. No costs.

[S.M.S., J.]

[C.S.N., J.]

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Neutral Citation : Yes / No

arb

To:

The Sub Registrar,
Office of Sub Registrar,
Uthukottai – 602 026.



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