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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP Nos. 10059 & 11476 of 2025
and WMP No. 11284 of 2025**

W.P.No.10059 of 2025

Canara Bank
Asset Recovery Management Branch
661-1, Mettupalalyam Road, RS Puram,
Coimbatore-641 002.

Petitioner(s)

Vs

1. Sub Registrar
Sub Registrar office, Ammapettai,
Erode District.

2.V Saravanan

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the entire records in pursuance to the order of Refusal in RFL/Ammapettai/81/2024 dated



29.11.2024 on the file of the 1st Respondent and quash the same and consequently direct the 1st respondent to register the Sale Certificate dated 15.10.2024 issued by the petitioner in favour of 2nd respondent within a stipulated period.

For Petitioner(s): Ms.S.R.Sumathy
For Respondent(s): Mr.B.Vijay
Additional Government Pleader
for R1
Ms.C.B.Geetha Sanchitha
for R2

W.P.No.11476 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.



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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, Mettupalalyam Road,
RS 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, calling for the records pertaining to the proceedings of the 4th respondent vide Na.Ka. No.41/2025 dated 19.03.2023 and to quash the same as illegal, incompetent and ultravires and consequently direct the 4th respondent to file the auction sale certificate dated 15.20.2024 issued by the 6th Respondent in Book I maintained by the registering officer as per section 89 (4) of the Registration Act, 1908.



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For Petitioner(s): Ms.C.B.Geetha Sanchitha
for M.Guruprasad
For Respondent(s): Mr.B.Vijay
Additional Government Pleader
for R1 to R4
Mrs.S.R.Sumathy,
Standing Counsel for R5 & R6

ORDER

The issue involved in both these writ petitions are common and hence, they are taken up together, heard and disposed of through this common order.

2.The petitioner in W.P.No.11476 of 2025 had earlier filed W.P.No.4161 of 2025 challenging the impugned refusal Check Slip issued by the 4th respondent and for a direction to receive the Sale Certificate and make the necessary entry in Book I under Section 89(4) of the Registration Act. The said writ petition was allowed by this Court by an order dated 14.02.2025. This Court directed the 4th respondent to receive the Sale Certificate and to make the necessary entry in Book I as per Section 89(4) of the Registration Act.



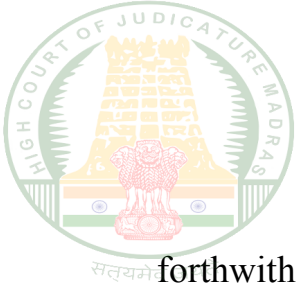
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3. After the above order was passed, the 4th respondent has once again refused to receive the Sale Certificate and has issued a refusal Check Slip.

Aggrieved by the same, the present writ petition has been filed before this Court.

4. The 4th respondent has now issued the refusal Check Slip by citing some other reason. In the considered view of this Court, if the 4th respondent had any reasons for refusing to take the Sale Certificate and make the necessary entry, the authority should come out with all the reasons even on the first occasion and the authority cannot be allowed to give one reason after the other every time when the document is presented for registration. This conduct on the part of the 4th respondent is not appreciable.

5. This Court had already directed the 4th respondent to receive the Sale Certificate and to make the necessary entry in Book I under Section 89(4) of the Registration Act. The said direction shall be complied with by the 4th respondent



forthwith. The present refusal Check Slip issued by the 4th respondent, is hereby
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quashed.

6.In the result, both the writ petitions are allowed with the above
directions. No Costs. Consequently, connected miscellaneous petition is closed.

02-04-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

1. Sub Registrar

Sub Registrar office, Ammapettai, Erode District.

2. The District Collector,

Erode District,

Erode.

3. The District Revenue Officer,

The District Revenue Office,

Erode District.

4. The Revenue Divisional Officer,

Revenue Divisional Office,

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, Mettupalalyam Road,

RS Puram,

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WP No. 10059 & 11476 of 2025

N.ANAND VENKATESH J.

SSR

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