



## IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24-04-2025**

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**THE HONOURABLE MR JUSTICE N. ANAND VENKATESH****WP No. 13586 of 2025**

K.Purushothaman

Petitioner(s)

Vs

1. The Sub Registrar  
SRO Officer, Kaniyampadi,  
Vellore District- 632 102.

2.State Bank Of India, Vellore  
Town Branch,  
Rep By Its Chief Manager, Vellore- 4.

Respondent(s)

**PRAYER** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st Respondent to remove the entry in the Encumbrance Certificate for the attachment of the petitioner's property made in I.A. No 417/ 2005 in O.A. No. 104/2005 by the Learned Debts Recovery Tribunal -I, Chennai, on 23.05.2006 through Document No. 5/2006, in accordance with the order dated 31.05.2010 in I.A. No. 320/ 2008 in



O.A. No.190/ 2007 on the file of the learned Debts Recovery Tribunal - III, Chennai, and the order dated 12.06.2023 in W.P. No.1306/ 2023 of this High Court.

For Petitioner(s): Mr.R.Hari  
For Respondent(s): Mr.U.Baranidharan  
Special Government Pleader  
for R1

### **ORDER**

This writ petition has been filed for issue of writ of mandamus directing the 1<sup>st</sup> respondent to remove the entry made in the Encumbrance Certificate based on the order passed in I.A.No.417 of 2005 in O.A.No.104 of 2005 by Debts Recovery Tribunal-1, Chennai, dated 23.05.2006, which was registered as Document No.5 of 2006.

3.Heard Mr.R.Hari, learned counsel appearing on behalf of the petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing on behalf of the respondents.

3.In the considered view of this Court, the attachment order that was passed by the Debts Recovery Tribunal pertained to two properties. Later, the



order of attachment was revoked by the Debts Recovery Tribunal-3, Chennai in

I.A.No.320 of 2008 in O.A.No.190 of 2007 by order dated 31.05.2010. Based

on the same, the petitioner earlier filed writ petition in W.P.No.1306 of 2023

with respect to removal of entry made for one of the property and this writ

petition was allowed by an order dated 12.06.2023, directing the 1<sup>st</sup> respondent

to remove the encumbrance entry. This writ petition has been filed with respect

to the remaining property for which the attachment order was revoked by Debt

Recovery Tribunal-3.

4.Taking into consideration the facts and circumstances of the case and

considering the earlier order passed by this Court in W.P.No.1306 of 2023,

there shall be a direction to the 1<sup>st</sup> respondent to remove the entry in the

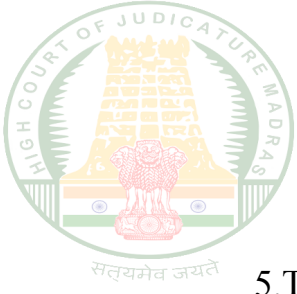
encumbrance certificate with respect to the order passed in I.A.No.417 of 2005

in O.A.No.104 of 2005 by Debts Recovery Tribunal-1, Chennai dated

23.05.2006 registered as Document No.5 of 2006. This exercise shall be

completed, within a period of two weeks from the date of receipt of copy of this

order.



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

**24-04-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To  
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1. The Sub Registrar  
SRO Officer, Kaniyampadi,  
Vellore District- 632 102.
2. The Chief Manager,  
State Bank Of India, Vellore  
Town Branch,  
Vellore- 4.



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6/6

WP No. 13586 of 2



**N.ANAND VENKATESH J.**

SSR

**WP No. 13586 of 2025**

**24-04-2025**