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W.P.No.19410 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 19410 of 2024

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W.M.P. Nos. 21257 & 21261 of 2024

1.A.Kalirajan

2.Kamini Devi

...Petitioners

Vs.

1.The Deputy Director (HIU - 2(3))
Directorate of Enforcement,
New Delhi.

2.The Sub-Registrar,
Office of Sub-Registrar,
Tambaram

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 2nd respondent to cancel the registered Memorandum of Deposit of Title Deed and Register the new Memorandum of Deposit of Tile Deeds for the new allotted loan in



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respect of the petitioners property, more specifically Plot bearing No.4C, measuring 1080 sq.ft.comprised in Survey No.579/2, under Patta No.2334 as per Patta Old sub division survey No.579/2A part now new sub division Survey No.579/2A1A1A part in the layout named Sri Sai Avenue comprised in S.Nos.579/1,579/2,580/1, 580/2, 582/3 and 582/2B, measuring to an extent of 7.59 Acres situated at No.9,Nedungundram village, vandalur Taluk, Chengalpattu District unbiased by the attachment order passed vide F No.ECIR/04/DLZO-II/2018 dated 15.2.2022.

For Petitioner : Mr. D.Saikumarran

For Respondent 1: Mr. Rajnish Pathiyil
SPP ED

For Respondent 2: Mr. B.Vijay
Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To direct the 2nd respondent to cancel the registered Memorandum of Deposit of Title Deed and Register the new Memorandum of Deposit of Tile Deeds



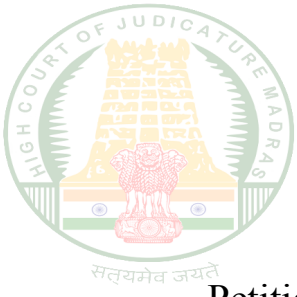
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for the new allotted loan in respect of the petitioners property, more specifically Plot bearing No.4C, measuring 1080 sq.ft.comprised in Survey No.579/2, under Patta No.2334 as per Patta Old sub division survey No.579/2A part now new sub division Survey No.579/2A1A1A part in the layout named Sri Sai Avenue comprised in S.Nos.579/1,579/2,580/1, 580/2, 582/3 and 582/2B, measuring to an extent of 7.59 Acres situated at No.9,Nedungundram village, vandalur Taluk, Chengalpattu District unbiased by the attachment order passed vide F No.ECIR/04/DLZO-II/2018 dated 15.2.2022 ”.

2. A counter has been filed by the 1st respondent. In paragraph No.iv of the counter affidavit, the 1st respondent has stated that the subject property has not been provisionally attached.

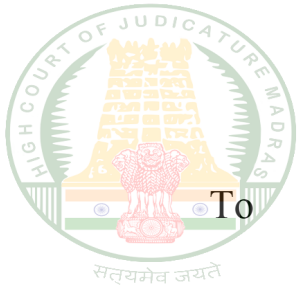


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3. Therefore, there is no impediment for registration. The Writ Petition is allowed. The 2nd respondent is directed to register the document, within a period of 2 weeks, from the date of its re-presentation by the petitioner. Consequently, the connected miscellaneous petition is closed. No costs.

09.01.2025

Index : Yes/No
Internet : Yes/No
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