



W.P.No.23575 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.23575 of 2019

1.S.Senthil Kumar
2.K.Vivekanandan

... Petitioners

Vs.

1.Joint Sub-Registrar,
The District Registrar Office,
Erode District,
Erode – 638 003.

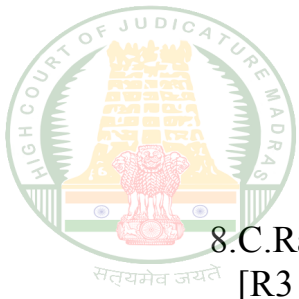
2.The Authorised Officer,
State Bank of India,
Erode Main Branch,
D4, State Bank Road,
Erode – 638 011.

3.G.Rajeseekar
4.R.Jayamala

5.R.A.N.Muthuwsamy Chit Funds and Finance Private Ltd.,
No.33, Easwaran Koil Street,
Erode – 638 001,
Rep. by its Director.

6.Yaley Chit Funds Private Ltd.,
No.223, Mettur Road,
Erode – 638 011, Rep. by its Director.

7.K.Ravi



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8.C.Ravichandran

[R3 to R8 impleaded as per order dt. 23.10.2019 made in

W.M.P.No.27134 of 2019 in W.P.No.23575 of 2019]

... Respondents

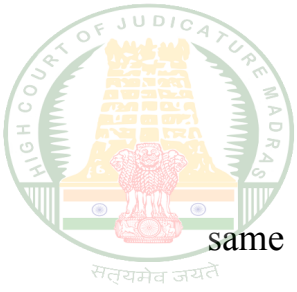
Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent herein vide Refusal Check Slip with Refusal Number: RFL/1 No. Joint Sub-Registrar Erode/39/2019 dated 10.07.2019 and quash the same and consequently direct the 1st respondent to register the sale certificate dated 08.07.2019 issued by the 2nd respondent Bank in favour of the petitioner.

For Petitioners : Mr.CT.Murugappan

For Respondents : Mr.U.Baranidharan
Special Government Pleader [R1]
Dr.T.Ramasamy [R2]
Not Ready Notice [R3 & R4]
Mr.K.J.Parthasarathy [R5]
Mr.Mathivanan [R6]
Mr.N.Manoharan [R7 & R8]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent herein vide Refusal Check Slip with Refusal Number: RFL/1 No. Joint Sub-Registrar Erode/39/2019 dated 10.07.2019 and quash the



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same and consequently, to direct the 1st respondent to register the sale certificate dated 08.07.2019 issued by the 2nd respondent Bank in favour of the petitioner.

2. The case of the petitioners is that they are the auction purchaser of the subject property from the 2nd respondent. After presenting the document for registration, the document was refused to be registered on the ground that the very same property was already attached by the Civil Court. Challenging the same, the petitioner has filed the present writ petition before this Court.

3. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that it would suffice, if this Court permits the petitioner to approach the Civil Court under Order 21 Rule 58 for raising the attaching, enabling the petitioner to process the registration.

4. Heard both sides and perused the materials available on record.



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5. It is true that the subject property claimed to be purchased by the petitioners through auction from the 2nd respondent, was attached by the civil court under Order 38 Rule 5, thereby the document was not registered by the registering authority. This Court is of the view that the same does not requires any interference. However, in view of the limited request sought for by the learned counsel for the petitioner, this Court, without interfering with the impugned order, grants liberty to the petitioner to approach the competent Civil Court to workout the remedy in accordance with law.

6. With the above liberty, this Writ Petition is dismissed. No costs.

10.09.2025
(1/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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To
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1.The Joint Sub-Registrar,
The District Registrar Office,
Erode District,
Erode – 638 003.

2.The Authorised Officer,
State Bank of India,
Erode Main Branch,
D4, State Bank Road,
Erode – 638 011.



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M.DHANDAPANI, J.

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in

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M.DHANDAPANI,J.

Though the present miscellaneous petition has been filed by the petitioners seeking to permit the petitioners to join together and file a single writ petition before this Court, it is pertinent to note that, the Registry has already made an endorsement in this petition and in the main petition itself that, "General court fees fully paid".

2. In view of the above endorsement made by the Registry, this Writ Miscellaneous Petition is closed.

10.09.2025

(2/2)

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