IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.10.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.32329 of 2025

Rajalakshmi

... Petitioner

Vs.

1. State Of Tamil Nadu
Rep. By Secretary,
Department Of Commercial Taxes And
Registration, Secretariat Chennai

2. The Inspector General Of Registration
100 Santhome High Rd,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram, Chennai 28

3. The Sub Registrar
Sub Registrar Office,
Kamarajar Road, Red Fields,
Puliyakulam Coimbatore

4. R.Meena

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent 2 - 3 to grant compensation of Rs. 50,00,000/- to petitioner on the basis of representation letter dated 9.11.2024 and to pass suitable orders

For Petitioner : Mr.M.Saravanakumar

For Respondent : Mr.P.Harish, GA for R1 to R3

ORDER

This writ petition has been filed to direct the respondent to pay compensation of Rs.50,00,000/- to the petitioner based on the representation dated 09.11.2024.

2. The learned counsel for the petitioner would submit that in this case, the petitioner had purchased the property in survey No.10/623 part to the extent of 4354 sq.ft. Prior to the purchase, the petitioner applied for Encumbrance Certificate (EC) of the subject land. However, in the said EC, the entry, pertaining to the suit pending between the petitioner's vendor and a 3rd party, was not reflected. Therefore, the petitioner, who was under the impression that there is no encumbrance, had proceeded to purchase the property.

3. Further, he would submit that the aforesaid aspect, with regard to the pendency of suit, came to the knowledge of the petitioner only after the purchase of property. Hence, he made a representation dated 09.11.2024 for the purpose of conducting enquiry and also he asked for compensation of Rs.50,00,000/- from the respondents. However, the said representation was not at all considered by the respondent till date. Hence, this petition.

4. Per contra, the learned Government Advocate appearing for the respondents would submit that in this case, the petitioner is said to have relied upon the EC referred at page No.52 of the typed set of papers, which is pertaining to survey No.623/part, whereas, the petitioner purchased the property at the survey No.10/623 part.

5. Further, he would submit that while applying the aforesaid EC, the ward number was also wrongly entered by the petitioner as 10 instead of 10(J). Hence, he would submit that the respondent had provided the EC, for which the application was made by the petitioner.

6. As far as the EC of subject property is concerned, no such application was made by the petitioner. In such case, it is clear that the petitioner has wrongly set up the case and filed the present petition, as if the respondent issued EC without full details. Hence, he prays for dismissal of this petition.

7. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent and also perused the materials available on record.

8. In the case on hand, as rightly contended by the respondent, the application was made by the petitioner for issuance of EC in respect of the property in Survey No.623/part in Ward No.10. Thereafter, she purchased the property in TS.Survey No.10/623 part in Ward No.10(J). When such being the case, ot is crystal clear that the petitioner entered wrong survey number and ward number while applying for EC and there is no fault on the respondent in issuance of EC.

9. In view of the above, this Court does not find any merits in this petition. Therefore, this Court is inclined to dismiss the present petition. Accordingly, this writ petition is dismissed. No cost.

28.10.2025

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

To

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