



WEB COPY



W.P.No.278 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.278 of 2025

Dr.S.Parameswaran @ Aiappan Sabesan

...Petitioner

Vs

The Sub Registrar, Anna Nagar,
No.576, Mogappir West, Ambattur Industrial Estate,
Chennai – 600 037.

...Respondent

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue Writ of Mandamus, directing the respondent to register a charge over the property being House, Ground and Premises bearing Plot No.3529 Door No.J.23/18, 1st Main Road, Anna Nagar East, Chennai 600 102, comprised in T.S.No./R.S.No.8 part, 9 part and 10 part of Mullam Village, measuring 2 grounds 1650 square feet, situated within the Sub-Registration District of Anna Nagar, as per common judgment rendered by the Division Bench of this Court on 19.12.2023 in O.S.A.Nos.170, 174 and 175 of 2016.

For Petitioner : Mr.B.Hari Krishnan

For Respondents : M/s.C.Meera Arumugam

Additional Government Pleader



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ORDER

WEB COPY The above Writ Petition is filed for the following relief:-

To direct the respondent to register a charge over the property being House, Ground and Premises, bearing Plot No.3529, Door No.J.23/18, 1st Main Road, Anna Nagar East, Chennai 600 102, comprised in T.S.No./R.S.No.8 part, 9 part and 10 part of Mullam Village, measuring 2 grounds 1650 square feet, situated within the Sub-Registration District of Anna Nagar, as per common judgment rendered by the Division Bench of this Court on 19.12.2023 in O.S.A.Nos.170, 174 and 175 of 2016.

2.The facts has set out briefly herein below:-

From the documents that have been filed in support of the Writ Petition, it appears that the petitioner and two others had filed a suit in C.S.No.1027 of 2010 on the file of this Court for recovery of a sum of Rs.97,00,000/- from the defendants. The said suit was decreed with cost and charge had been created in respect of the property which has been described in the schedule to the decree. It appears that the petitioner had attempted to register the charge with the respondent in order to stop further registration of the property. However, the respondent has not



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acted upon the letter dated 23.01.2024 sent by the petitioner's counsel over creating the charge. Therefore the petitioner is before this Court.

3.Heard the learned counsels on either side and perused the records. M/s.C.Meera Arumugam, the learned Additional Government Pleader takes notice on behalf of respondent.

4.A perusal of the decree in C.S.No.1027 of 2010 would clearly show that suit has been decreed and charge has been created in respect of house, ground and premises bearing plot No.3529, Door No.J.23/18, 1st main road, Anna Nagar East, Chennai – 600 102, comprised in T.S.No./R.S.No.8 part, 9 part and 10 part of Mullam Village, measuring 2 grounds and 1650 sqft within specified boundaries. Taking note of the decree, a mandamus is therefore issued to the respondent to register the charge set out in the decree in C.S.No.1027 of 2010 within a period of two weeks from the date of its presentation of the certified copy of the decree in C.S.No.1027 of 2010.



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WEB COPY 5. Accordingly, the Writ Petition is allowed. No costs.

Consequently, connected miscellaneous petition is closed.

24.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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P.T.ASHA, J,

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To
The Sub Registrar, Anna Nagar,
No.576, Mogappir West, Ambattur Industrial Estate,
Chennai – 600 037.

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24.01.2025