



W.P.No.43275 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.43275 of 2025

S.Ganesh

... Petitioner

Vs.

1.Sub Registrar's Office, Uthukuli,
28, South Street,
Uthukuli, Tirupur – 638 751.

2.Sub Registrar's Office, Perundurai,
162, Agraharam Street,
Perundurai, Erode – 638 052.

3.S.Deepa

4.R.Abisheikchandran

5.Ramathal

6.S.Chinnammal

7.K.Mohanambal

8.R.Rani

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the first respondent to



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consider the petitioner's representation dated 07.10.2025 and implement the order of this Hon'ble Court in CRP 1304 of 2021 dated 22.12.2023 and accordingly strike off the entry made in the Encumbrance Certificate depicting the third respondent as the owner of the petitioner's property and further be pleased to impose costs upon the respondents for the hardship caused to the petitioner.

For Petitioner : Mr.Antony R.Julian

For Respondents 1 & 2 : Mr.U.Baranidharan,
Special Government Pleader

ORDER

The relief sought in this writ petition is to direct the first respondent to consider the petitioner's representation dated 07.10.2025 and implement the order of this Hon'ble Court in CRP 1304 of 2021 dated 22.12.2023 and accordingly strike off the entry made in the Encumbrance Certificate depicting the third respondent as the owner of the petitioner's property and further be pleased to impose costs upon the respondents for the hardship caused to the petitioner.

2. Mr.U.Baranidharan, learned Special Government Pleader takes



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notice on behalf of the respondents 1 & 2. By consent of both the parties, this writ petition is taken up for disposal at the stage of admission itself.

3. The case of the petitioner is that the petitioner purchased a property with a total extent of 51 cents (comprising of 0.21 cents + 0.30 cents) at Morattupalayam Village, Tirupur through an E-auction conducted under SARFAESI proceedings initiated by Bank of Baroda before the Debts Recovery Tribunal, Coimbatore. This being the case, the fifth respondent herein filed a Partition Suit in O.S.No.257 of 2018 before the District Munsif Court, Avinashi against the respondents 3, 4, 6, 7 & 8, falsely shown the aforesaid property as family properties and also obtained a Compromise order dated 18.12.2018 before the Lok Adalat conducted by the Taluk Legal Services Committee, Avinashi. The said compromise order was also registered at the Uthukuli SRO, Tirupur. Challenging the same, the petitioner filed Civil Revision Petition in C.R.P.No.1304 of 2021. This Court vide its judgment dated 22.12.2023 set aside the judgment and compromise decree in O.S.No.257 of 2016.



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3.1. This being so, the third respondent has falsely represented herself as the owner of the petitioner's property, recorded her name in the Encumbrance Certificate on the file of the Sub Registrar Office, Perundurai, Erode. Therefore, the petitioner issued a legal notice dated 07.10.2025 to the respondents 1 & 2 to strike off the entry made in the Encumbrance Certificate depicting the third respondent as the owner of the petitioner's property. However, the respondents 1 & 2 has not taken any steps in respect of the said legal notice dated 07.10.2025. Hence, the petitioner has come forward with the present writ petition.

4. Though many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first respondent to consider the petitioner's legal notice/representation dated 07.10.2025.

5. Learned Special Government Pleader appearing for the respondents 1 & 2 submitted that the petitioner's legal



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notice/representation dated 07.10.2025 would be considered and appropriate orders passed, within a time frame that may be fixed by this Court.

6. Heard the learned counsel on either side and perused the materials available on record.

7. Considering the limited relief sought by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the first respondent to consider the petitioner's legal notice/representation dated 07.10.2025 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the aforesaid direction, this writ petition stands disposed of.

No costs.



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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

To

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28, South Street,
Uthukuli, Tirupur – 638 751.
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KRISHNAN RAMASAMY.J.,



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