



WEB COPY

WP No. 48344 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 48344 of 2025

A.Indira,
W/o.G.Ashok, D.No.7-63b, Aragonda,
Chittoor, Andhra Pradesh-517 129,
Adhar Card No.5925 9097 4288.

..Petitioner

Vs

1.The Sub Registrar,
Gudiyatham, Vellore District-632 602.

2.Deputy Superintendent of Police,
Economic Offence Wing, Ashok Nagar,
Chennai-600 083.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the first respondent to remove the remarks made in the book maintained by the first respondent pursuant to the letter C.No.254/ DSP/ EOW/ IFS/ 2024 dated 14.12.2024 in respect of the subject matter of the Deed of Sale dated 08.07.2023 and registered as document No.5810 of 2023 in the office of the Sub Registrar Gudiyatham comprised in Old Town Survey No.669/1, New Town Survey No.669/5, measuring an extent of 2070 sq.ft., Block No.5, ward No.7, Sedukkarai village, Gudiyatham Taluk, Vellore District.



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For Petitioner:

Mr. S.Kartik

For Respondents:

Ms.Akila Rajendran, Govt. Adv. for R1

Mr.S.Sugendran, Addl. P.P. for R2

ORDER

The petitioner seeks a direction for the removal of remarks made in the encumbrance certificate relating to document no.5810/2023 pertaining to new T.S.No.669/5 of the extent of 2070 sq.ft. in Sedukkarai village, Gudiyatham Taluk, Vellore District.

2. Learned counsel for the petitioner submits that the impugned entry was made merely on the basis of communication dated 14.12.2024 from the second respondent to the first respondent.

3. By relying on *order dated 10.03.2025 in W.P.No.8174 of 2025, Mr.K.Madhusudhanan and another v. the Sub-Registrar, Gudiyatham and another*, learned counsel submits that the petitioner is in an identical position and that the ratio of the said order would apply to the petitioner.

4. Ms.Akila Rajendran, learned Government Advocate, accepts notice for the first respondent. Mr.S.Sugendran, learned Additional Public Prosecutor, accepts notice for the second respondent.



5. Learned Government Advocate for the first respondent submits that a neutralising entry would be made, if so directed by this Court.

6. On perusal of the communication dated 14.12.2024, it is clear that such communication has not been sent on the basis of an order issued by a Court of law. Earlier order dated 10.03.2025 of this Court recorded that the Code of Criminal Procedure does not confer power on the investigating agency to issue a communication attaching a property. Concurring fully with such principle, I am of the view that a neutralising entry should be recorded in the encumbrance certificate. By directing the first respondent to issue such neutralising entry, this writ petition is disposed of. This order will not, however, stand in the way of the second respondent obtaining orders of attachment from a jurisdictional Court. There will be no order as to costs.

11-12-2025

Index : Yes/No
Internet: Yes/No
Neutral Citation : Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

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To

1. The Sub Registrar,
Gudiyaatham, Vellore District-632 602.
2. Deputy Superintendent of Police,
Economic Offence Wing, Ashok Nagar, Chennai-600 083.

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