

W.P.No.26137 of 2018

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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DATED : 10.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

W.P.No.26137 of 2018

A.Karthikeyan

.. Petitioner

**Vs.**

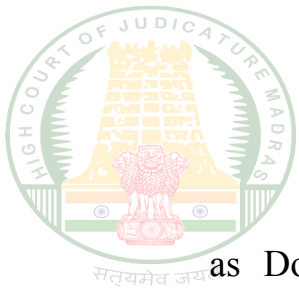
1.The Sub Registrar,  
Kumarapalayam Sub Registrar Office,  
Kumarapalayam,  
Namakkal District.

2.Catholic Syrian Bank,  
P.B.No.153, Raja Street Branch,  
Raja Street,  
Coimbatore – 641 001.

.. Respondents

(R2 impleaded vide order of this Court  
dated 10.03.2025 in W.M.P.No.26273  
of 2024 in W.P.No.26137 of 2018)

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent in Na.Ka.No.108/2018 dated 18.09.2018 and quash the same and consequently directing the respondent to handover the sale deed dated 30.05.2018 standing in the name of the petitioner, which is kept pending



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as Document No.34 of 2018 on the file of the respondent to the  
petitioner.

For Petitioner : Mr.E.K.Kumaresan  
For Respondents : Mr.P.Harish  
Government Advocate

### **ORDER**

This writ petition has been filed challenging the impugned proceedings of the 1<sup>st</sup> respondent dated 18.09.2018 and for a consequential direction to the respondent to register the sale deed dated 30.05.2018 and release the same.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3.The 1<sup>st</sup> respondent has refused to register the sale deed and release the same on the ground that a case is pending before the Debt Recovery Tribunal (DRT) and an interim order was also granted restraining alienation of the property.



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4.In the considered view of this Court, if an interim order is passed restraining the alienation of the property, obviously the Sub Registrar cannot register the document. The learned counsel for the petitioner submitted that the interim order was not extended thereafter and only the main OA is pending.

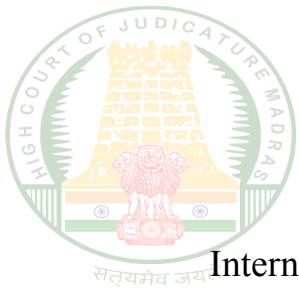
5.In the light of the above stand taken by the petitioner, if ultimately there is no interim order restraining the alienation of the property, a clarity to that effect can be given by the petitioner before the 1<sup>st</sup> respondent by producing necessary records and in such an event, the document shall be registered and released, if it is otherwise in order. If any restraint order continues, the original impugned proceedings of the 1<sup>st</sup> respondent dated 18.09.2018 will stand.

6.In the result, this Writ Petition is disposed of in the above terms.

No costs.

**10.03.2025**  
**(2/2)**

krk  
Index : Yes / No



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Internet : Yes / No

Neutral Citation : Yes / No

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**N.ANAND VENKATESH, J.**

krk

To

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