



W.P(MD)No.7503 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7503 of 2025

and

W.M.P(MD)No.5663 of 2025

ICICI Bank Limited
Plot No.24, South Phase,
Ambattur Industrial Estate,
Block No.1, Ambattur,
Chennai – 600 058.
represented by its Authorized Signatory
Kranthi Kumar Budumuri.

... Petitioner

Vs

1. The Sub Registrar Joint I,
Pudukkottai,
Pudukkottai District.

2. Mohamed Mustafa Alias Rajmohamed Shahul Hameed

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent and to consequentially quash the orders dated 11.12.2024 passed by the first respondent in RFL/ 1 bearing No.333/2024 and to direct the first respondent to register the sale certificate dated 11.12.2024 in favor of the



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second respondent.

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For Petitioner : Mr.S.Krishnaa
for M/s.Acuity Law Associates,

For R-1 : Mr.D.Sasi Kumar,
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 11.12.2024 passed by the first respondent and to direct the first respondent to register the sale certificate dated 11.12.2024.

2. Through the impugned order, the respondent has stated that on perusing the Encumbrance Certificate there is an encumbrance based on the order passed by the Principal District Court and an attachment has been made by the competent authority.

3. It is seen that the petitioner Bank has a first charge over the property which prevails over any attachment and any other encumbrance. Therefore, impugned refusal check slip by citing the order of attachment passed by the Civil Court cannot restrain the petitioner Bank from alienating or encumbering the



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property in order to recover the loan amount under the proceedings initiated in accordance with the SARFAESI Act. Accordingly, the impugned order is quashed. The respondents are directed to register the Sale Certificate within a period of four (4) weeks from the date of receipt of a copy of this order.

4. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

jbr

To:

The Sub Registrar Joint I,
Pudukkottai,
Pudukkottai District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.7503 of 2025

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