



W.P(MD)No.15756 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15756 of 2025

Sivasankaran

... Petitioner

Vs.

1. The District Registrar (Administration),
Trichy District,
Trichy.

2. The Sub Registrar ,
Thillainagar Sub Registrar Office,
Thillainagara,
Trichy District.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records in pertaining to the impugned refusal check slip of the 2nd Respondent in RFL/ Thillainagar / 128/ 2025 dated 22.05.2025 quash the same as illegal, consequently direct the 2nd respondent to register the document presented by the Petitioner in respect of survey number 145/1 for an extent of 1200 Sq.feet in plot No.25



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situated at Uyyakondan Thirumalai Village, Srirangam Taluk, Trichy District.

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For Petitioner : Mr.K.Anandraj
For Respondents : Mr.K.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned refusal check slip of the second Respondent in RFL/ Thillainagar / 128/ 2025 dated 22.05.2025 and consequently to direct the second respondent to register the document presented by the Petitioner in respect of survey number 145/1 for an extent of 1200 square feet in Plot No.25 situated at Uyyakondan Thirumalai Village, Srirangam Taluk, Trichy District.

2. Heard Mr.K.Anandraj, the Learned Counsel for the petitioner, Mr.S.Saji Bino, the Learned Special Government Pleader for the Respondents and perused the material documents available on record.

3. The facts are that one Mathiarasan defaulted in paying the loan, hence Sarfaesi proceedings were initiated. In the Sarfaesi proceedings the bank had



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attached the property on 22.08.2018. But before such attachment, the property was brought for sale and the petitioner had purchased the same on 30.07.2018 which is 22 days prior to attachment. However, the fact remains that the petitioner had purchased the property under auction sale conducted by the Bank under Sarfaesi proceedings. Now the petitioner intended to settle the property to his mother, but the respondents refused to register the settlement deed by citing the attachment. Since the sale certificate was registered prior to the attachment, the respondents have refused to register the settlement deed. It is based on the attachment only the petitioner had purchased, but the attachment entry was registered belatedly, which has caused difficulty to the petitioner. The fact remains the petitioner had purchased the property pursuant to the bank's attachment and sale proceeding. Hence, the attachment cannot be a valid ground to refuse registration of the present settlement deed. Therefore, the impugned order is liable to be quashed.

4. Accordingly, this writ petition stands allowed. The impugned refusal check slip passed by the second Respondent in RFL/ Thillainagar / 128/ 2025 dated 22.05.2025, is hereby quashed. The second respondent is directed to register the document presented by the Petitioner in respect of survey number 145/1 for an extent of 1200 square feet in plot No.25 situated at Uyyakondan Thirumalai Village, Srirangam Taluk, Trichy District and the said exercise shall be completed



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within a period of four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

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24.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

VSG

To:

1. The District Registrar (Administration),
Trichy District,
Trichy.

2. The Sub Registrar ,
Thillainagar Sub Registrar Office,
Thillainagar, Trichy District.



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S.SRIMATHY, J.

VSG

**ORDER MADE IN
W.P(MD)No.15756 of 2025**

DATED :24.06.2025