



W.P.(MD)No.16438 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.16438 of 2025

and

W.M.P.(MD)No.12495 of 2025

Paneerselvam

... Petitioner

Vs.

1. The Sub Registrar,
Registration Department,
Mela Karur,
Karur District.

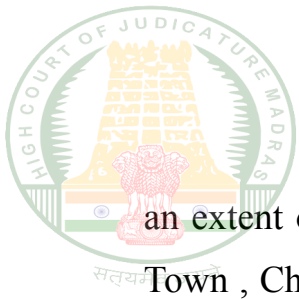
2. M/s.Lakshmi Vilas Bank,
Karur Main Branch,
Karur.

3. Poongathai,
W/o. Paneerselvam,
No.1, Gandhi Nagar West,
Karur – 639 001.

... Respondents

***(R3, suo motu, impleaded vide Court order
dated 18.06.2025 in W.P.(MD)No.16438 of 2025)***

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 relating to the impugned check slip having Refusal Number RFL/ Melakarur/73/2025, dated 31.05.2025, issued by the first respondent and quash the same and also direct the first respondent to register the settlement deed dated 31.05.2025, relating to the property having Town Survey No.332/2 measuring to



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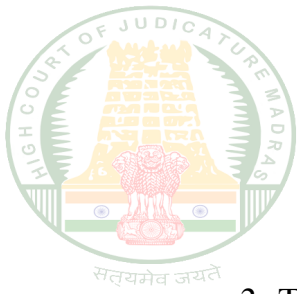
an extent of 4523.25 Sq.feet situated at Town Ward No.3, Block No. VIII, Karur Town , Chinna Andan Kovil Main Road, Karur, Karur District, within time frame fixed by this Court.

For Petitioner : Mr.V.Sukumar
For R-1 : Mr.S.Kameswaran
Government Pleader
For R-2 : Mr.S.I.Muthaiah

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the refusal slip dated 31.05.2025 and consequently, direct the first respondent to register the settlement deed dated 31.05.2025.

2. This Court, *suo motu*, impleads M/s.Poongothai, W/o.Paneerselvam, residing at No.1, Gandhi Nagar West, Karur – 639 001, as the third respondent, who is the beneficiary of the settlement deed. It is noted that the petitioner has already mortgaged the subject property with the second respondent / Bank. Now, the petitioner is intended to settle the said property in favour of the third respondent through proposed settlement deed dated 31.05.2025. The Bank's objection to such settlement has been cited by the first respondent as the reason for refusal to register the settlement deed



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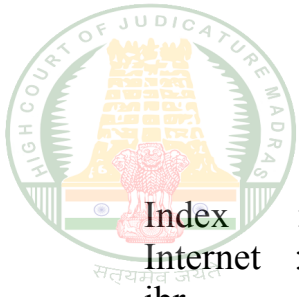
3. The contention of the petitioner is that in the settlement deed itself it has been averred that the beneficiary / third respondent has a duty to settle the mortgage with the Bank. However, in such circumstances, the petitioner ought to have obtained prior permission from the Bank or a No Objection Certificate from the Bank for settling the settlement deed. But, no such NOC was obtained from the Bank.

4. Therefore, this Court is directing the petitioner and beneficiary / third respondent to give an undertaking before the Bank stating that the beneficiary will execute all necessary documents including MOD for the purpose of settling the mortgage amount. Thereafter, the settlement deed and the MOD shall be registered on the same day. If it is registered on the same day, all the rights of the parties will be protected.

5. With the above said direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.06.2025

NCC : Yes / No



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Index : Yes / No

Internet : Yes

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To:

The Sub Registrar,
Registration Department,
Mela Karur,
Karur District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.16438 of 2025

DATED : 18.06.2025