



W.P(MD)No.17381 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17381 of 2025

R.Sekhar

... Petitioner

Vs.

1.The Sub Registrar,
Eraniel,
Kanyakumari District.

2.The Branch Manager,
CSB Bank Nagercoil Branch,
Nagercoil.

3.Abishek A.L

4.C.Robert Jayakumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records and quash the impugned order passed by the first respondent in Refusal Number RFL/Eraniel/71/2025 dated 05.05.2025 and thereby direct the first respondent to register the sale deed regarding 12.35 cents



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of land in R.S.No.726/4 of Thiekkanam Code Vilage, Kalkulam Taluk, Kanyakumari District belongs to the petitioner in favour of the fourth respondent.

For Petitioner : Mr.G.Cenil

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R.1

Mr.A.David Oliver for R.4

No Appearance for R.2 & R.3

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader appearing for the first respondent.

2.Sale deed dated 23.09.2024 was executed by the writ petitioner in favour of one Robert Jayakumar. The document could not be registered. The stand of the registering authority is that the petition mentioned property had been sold in a public auction by the authorised officer, CSB Bank Limited and that the petitioner had not produced any final judgment of any Court in his favour. Challenging the refusal check slip, this writ petition has been filed.



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3.It is seen that the petitioner had mortgaged the petition mentioned property to avail loan from the CSB Bank Limited. The property was subsequently brought to auction under the SARFAESI Act. Challenging the same, the petitioner filed cases and the matters were eventually went up to the Hon'ble Supreme Court of India in S.L.P(Civil)No.2774 of 2023. The Hon'ble Supreme Court held that the petitioner will become the absolute owner of the property and the auction sale would stand nullified upon the petitioner paying a sum of Rs. 68,00,000/- (Rupees sixty Eight Lakhs only) to the auction purchaser ie., Abishek. The specific case of the petitioner is that the said amount has since been paid. The auction purchaser has been shown as the third respondent in the writ petition. He has been served and his name is also printed in the cause list, he has not chosen to enter appearance and oppose the writ prayer.

4.I can safely proceed on the premise that the petitioner has acted in strict compliance with the directions of the Hon'ble Supreme Court. In any event, such an averment is found in the affidavit filed in support of the writ petition.



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5.In this view of the matter, the order impugned in this writ petition is quashed. The parties are at liberty to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities.

6.This Writ Petition is allowed accordingly. No costs.

15.10.2025

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

To

1.The Sub Registrar,
Eranial,
Kanyakumari District.

2.The Branch Manager,
CSB Bank Nagercoil Branch,
Nagercoil.



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G.R.SWAMINATHAN, J.

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