



W.P(MD)No.19591 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19591 of 2025

J. Baskaran

... Petitioner

Vs

1. The District Registrar,
Department of Registration,
No.58/1, Cutchery Road,
Virudhunagar - 626001,
Virudhunagar District.

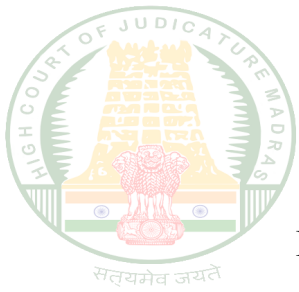
2. The Sub Registrar,
Office of the Sub Registrar,
Kunnur - 626126,
Virudhunagar District.

3. Mr.K.Muniyandi

4. Mr.M.Rajenthiran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to remove the entry made in the Encumbrance in respect of the property in S.No.465/27 which was registered as Doc.No.3585/2012 on 24.08.2012.



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For Petitioner

: M/s.A.Lakshmi

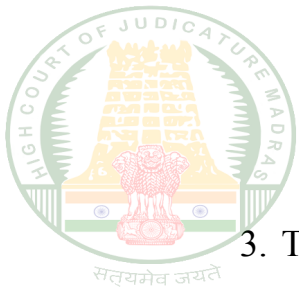
: Mr.S.Kameshwaran

Government Advocate

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the second respondent to remove the entry made in the Encumbrance in respect of the property in S.No.465/27, which was registered as Document No.3585/2012 on 24.08.2012.

2. Admittedly, there is a civil suit between the petitioner's father and the third respondent. The suit was decreed in favour of the third respondent. However, the first appeal was allowed in favour of the petitioner's father. Aggrieved over the same, the third respondent preferred a second appeal. Pending second appeal, the third respondent has sold the property to the fourth respondent, who is the third respondent's son. Subsequently, the second appeal was dismissed on 15.10.2012. Therefore, in effect, the petitioner's suit was allowed in his favour. Consequently, the sale would become an illegal sale. Further, it is against the principles of *lis pendens*. However, the second respondent is not having any right to delete the entry.



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3. Therefore, this Court is directing the second respondent to register the judgment and decree stated in the second appeal in S.A.No.1523 & 1524 of 2000 dated 15.10.2012 as a contra entry.

4. With the above said directions, this Writ Petition is disposed of. There shall be no order as to costs.

21.07.2025

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

jbr

To:

1. The District Registrar,
Department of Registration,
No.58/1, Cutchery Road,
Virudhunagar - 626001,
Virudhunagar District.
2. The Sub Registrar,
Office of the Sub Registrar,
Kunnur - 626126,
Virudhunagar District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.19591 of 2025

DATED : 21.07.2025