



W.P(MD)No.24223 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24223 of 2025

Ramaraj

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
District Registrar Office,
Tenkasi,
Tenkasi District.

3.The Sub Registrar,
Sub Registrar Office,
Karivalamvanthanallur,
Tenkasi District.

4.The Tahsildar,
Taluk Office,
Sankarankovil,
Tenkasi District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct the respondents 1 to 3 to take appropriate action for cancelling the deed of security bond dated 17.02.1976 registered as Document No.31/1976 on the file of the third Respondent office in the light of G.O.Ms.No.326 Agricultural Department dated 05.08.2008 and subsequently direct the respondents 1 to 3 to remove the entry made in the Encumbrance Certificate in respect of the Security Bond by considering the petitioner's representation dated 06.08.2025 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.P.Ponraj

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

Heard both sides.

2.The writ petitioner's father availed loan under a Government Scheme for deepening his Well. In this regard, a security bond was executed on 17.02.1976 and registered as Document No.31 of 1976. The case of the petitioner is that his father has since settled the loan. Hence the petitioner wants the encumbrance to be deleted.



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3.As rightly pointed out by the learned Additional Government Pleader, there is no scope for deleting an encumbrance. However, I make it clear that the reflection of the petition mentioned encumbrance (Document No.31 of 1976 dated 17.02.1976) on the file of the third respondent will not be a bar for entertaining any document that may be presented by the writ petitioner. This is for more than one reason. The mortgage is of the year 1976. Almost 4 decades have passed. Therefore, it has become unenforceable. The petitioner can very well ignore the said encumbrance and deal with the property.

4.With the aforesaid clarification and observation, this writ petition is disposed of. No costs.

08.09.2025

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

To

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

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G.R.SWAMINATHAN, J.

MGA

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Tenkasi District.

3.The Sub Registrar,
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