



W.P(MD)No.28422 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28422 of 2025

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... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai-624 301.

2.The District Registrar,
Office of District Registrar,
Dindigul.

3.The Sub Registrar,
Sub Registrar Office,
Kannivadi,
Dindigul-624 7054.

4.The Branch Manager,
Indian Bank,
Chennai Park Town,
No.53, Raja Muthaiah Salai,
Periamet,
Chennai-600 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents Nos.1 to 3 to take appropriate actions either to remove the entry of the attachment in



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Document No.10 of 1992 dated 31.03.1992 or to make a fresh entry to the effect to nullifying the entry of Document No.10 of 1992 dated 31.03.1992 in the Encumbrance Certificate on the file of the SRO, Kannivadi pertaining to the lands comprised in Survey Nos.360/2, 374/5, 377/2, 378/1, 380/4, 386/2, 386/5, 387/1, and 413/2 situated at Thethupatty Village, Dindigul Taluk and District within the time to be stipulated by this Court.

For Petitioner : Mr.K.Rajeshwaran

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R1 to R3

: Mr.C.Karthik
for R4

ORDER

Heard both sides.

2. The writ petitioner purchased the petition mentioned properties vide sale deed 06.10.2022 from one Chellamuthu and others (Document Nos.2110, 2111 & 2112 of 2022 on the file of the third respondent). The petitioner's vendor in turn had purchased the property vide sale deed dated 07.06.2010 from the legal heirs of one Jayarambabu Naidu (Document No.1367/2010). The said Jayarambabu Naidu had availed loan from the fourth respondent some time in the year 1978. He committed default. The bank filed O.S.No.9035 of



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1978 on the file of the City Civil Court, Chennai. An order of attachment before the Judgment was obtained. Subsequently, the suit was decreed. EP was also filed. But it appears that the loan was settled. That is why, EP was dismissed as not pressed in 1996. One can therefore safely come to the conclusion that EP was dismissed as not pressed since the loan account had been settled. In fact, when notice was ordered to the bank, the learned standing counsel submitted that since the records appear to be quite old, the authorities are not able to make any definite statement. They are in search of the records. It appears that the petitioner had subsequently dealt with the property. One of the buyers had sought legal opinion and the legal opinion could not be given in favour of the buyer on account of the aforesaid entry of attachment in the encumbrance register. That is why, the present writ petition has been filed.

3. After a careful consideration of the entire materials on record and taking into account the fact that the property had changed hands atleast twice and the fact that EP filed by the bank was dismissed as not pressed, I declare that the petition mentioned attachment stood raised. This writ order can very well be registered by the petitioner before the registering officer. This should adequately protect the rights of the petitioner.



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4. This Writ Petition is allowed on these terms. No costs.

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Index : Yes / No
Internet : Yes/ No
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To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai-624 301.

2.The District Registrar,
Office of District Registrar,
Dindigul.

3.The Sub Registrar,
Sub Registrar Office,
Kannivadi,
Dindigul-624 7054.

G.R.SWAMINATHAN, J.



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