



W.P(MD)No.33217 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.33217 of 2025

Subbaiya

... Petitioner

Vs.

1.The District Registrar,
Periyakulam,
Theni District.

2.The Sub Registrar,
Theni District,
Theni.

... 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 2nd Respondent to register petitioner document in respect of the petitioner land bearing S.No. 186/2D with an extent of 1.00 (one) Acre in Patta No.640 situated at Boothipuram Village, Bodinayakanur Taluk, Theni District by considering the representation dated 13.11.2025.

For Petitioner : Mr.M.Beema Rao

For Respondents : Mr.D.Gandhiraj
Special Government Pleader



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ORDER

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Heard both sides.

2. Sale deed dated 13.11.2025 was executed by the writ petitioner in favour of one Menaka. The document was presented for registration. The registering authority declined to entertain the document on the ground that there is a subsisting attachment. It is true that the petitioner availed loan from the Canara Bank, Theni Branch and an attachment order was made way back in November 1993. The petitioner subsequently cleared the loan. The Canara Bank has also issued No Objection letter. Copy of the same is enclosed at Page No.24 of the typed set of papers. It is true that on the strength of this No Objection Letter issued by the Canara Bank, the petitioner has to move the jurisdictional Court and obtain raising of attachment.

3. However, taking into account the special facts and circumstances in this case and particularly the fact that the attachment was made way back in the year 1993 and the issuance of NOC letter by the Canara Bank on 15.10.2025, it is declared that the attachment effected in respect of the property stands lifted. As and when the petitioner re-presents the document, the registering officer / R2 herein shall register the same and release it subject to fulfilment of other



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usual formalities. It is made clear that reflection of the attachment order in the EC will not come in the way. The writ petition is allowed on these terms. No costs.

20.11.2025

Index : Yes / No
Internet : Yes/ No
rmi

To

- 1.The District Registrar,
Periyakulam,
Theni District.
- 2.The Sub Registrar,
Theni District,
Theni.



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G.R.SWAMINATHAN, J.

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