



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 203 of 2026
and WMP No.233 of 2026**

M/s.Mandater Facility Service,
Shri Padmanapan Madhusudhanan,
No.3/9, NH- 2, Pavendar Salai,
MM Nagar, Chengalpet District- 603 209.

Petitioner

Vs

1. The Recovery Officer,
Office of the Recovery Officer,
Regional Office,
Employees State Insurance Corporation,
143, Sterling Road, Nungambakkam,
Chennai- 034.

2.The Registrar of Lands,
The Sub Registrar Office - Chengalpet Joint II,
No.10, Kancheepuram High Road,
Chengalpet- 603 001.

3.The Village Administrative Officer
Collectorate Office,
GST Road, Chengalpet- 603 001.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to cancel its order dated 09.12.2025 in Proceedings No.TN/RECY/51001093400001001/Various claims and consequently direct the first respondent to revoke the letter to second and third respondent from disposing the property of the petitioner as mentioned in impugned order dated 09.12.2025 in Proceedings No.TN/RECY/51001093400001001/Various claims.



For Petitioner: Mr.S.Ravindran, Senior Counsel
assisted by Mr.M.Arumugham

For Respondent: Mr.S.P.Srinivasan for R1

Mr.A.M.Ayyadurai
Government Advocate for R2 & R3

ORDER

The writ petition is filed seeking to cancel the order dated 09.12.2025 and consequently to direct the first respondent to revoke the letter issued to the second and third respondents restraining them from disposing of the property of the petitioner, as mentioned in the impugned order dated 09.12.2025.

2. Upon hearing the learned Senior Counsel appearing on behalf of the petitioner and perusing the affidavit and material records of the case, the grievance of the petitioner is that a sum of Rs.2,05,46,619/- has been assessed and claimed as due to the first respondent. Though the petitioner is making efforts to pay the same, the petitioner has difficulty in paying the amount in one lump sum and therefore has prayed for monthly installments.

3. Pending consideration of the same, not only the property of the petitioner has been attached, but the same has also been communicated to the second and third respondents and further steps will be taken by the first respondent even to auction the property. Therefore, the petitioner is before this Court. The prayer is to grant installments of 36 equal monthly installments to



pay the said amount and in the meanwhile, not to take any further coercive steps and upon completion of payment of the entire amount, to release the property.

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4. The learned counsel appearing on behalf of the first respondent would submit that sufficient time has already been granted to the petitioner and that the petitioner is not entitled to installments. It is further submitted that even if this Court is willing to grant installments, a maximum of 10 installments alone can be granted, even on equitable grounds.

5. The learned counsel appearing on behalf of the second and third respondents would submit that they will carry out such directions as may be issued by this Court.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. The prayer of the petitioner is only to grant installments. It can also be seen that the amount involved is on the higher side. Therefore, the interest of justice would be served if the petitioner is granted installments and at the same time, the attachment is kept in force without disturbing the possession of the petitioner, so that the payment of the amount is also secured. If even one installment remains unpaid, the authorities are at liberty to proceed further.



8. With the above observations, this writ petition is *disposed of* on the following terms:-

(I) The petitioner shall pay the balance outstanding to the first respondent in 24 equal monthly installments. The first installment shall be paid on or before 10.02.2026 and thereafter all other installments shall be paid on or before the 10th of every calendar month.

(ii) Upon completion of payment by the petitioner, the attachment shall be revoked and a communication shall also be made to the second and third respondents. Upon receipt of the said communication, the encumbrance shall be removed and the petitioner shall be permitted to freely deal with the property in any manner whatsoever.

(iii) Until completion of payment of the installments, the attachment alone shall be in force and no further steps for auctioning the property or any other coercive steps shall be taken against the petitioner. If the petitioner defaults in payment of even one monthly installment, the respondents shall be entitled to proceed further in the manner known to law.

(iv) Consequently, connected miscellaneous petition is closed. No costs.

07-01-2026

Neutral Citation: Yes/No
nsl



To

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**D.BHARATHA
CHAKRAVARTHY J.**

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