



WEB COPY



W.P.No.6990 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.6990 of 2026

D.Lourdu Mary

... Petitioner

Vs.

1.The Inspector General of Registration,
Office at 100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai – 600 028.

2.The District Registrar,
Office at District Registrar Office,
Coimbatore – 01.

3.The Sub Registrar,
Singanallur Sub-Registration Office,
Coimbatore – 641 111.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 17.10.2025 to remove the attachment entry relating to O.S.No.569 of 2009 on the file of the I Additional Subordinate Judge, Coimbatore, from the encumbrance certificate in respect of the petitioner's property comprised under Document No.2951 of 2011 dated 21.03.2011, registered on the file of the Sub-Registrar, Singanallur, Coimbatore, within a time frame as may be fixed by this Court.



For Petitioner : Mr.S.Saravanan
For Respondents : Mr.P.Harish
Government Advocate

ORDER

This Writ Petition has been filed to direct the 3rd respondent to consider the petitioner's representation, dated 17.10.2025 seeking to remove the attachment entry from the encumbrance certificate for the property morefully disclosed in the affidavit filed in support of this writ petition, within a time frame to be fixed by this Court.

2. Mr.P.Harish, learned Government Advocate, accepts notice on behalf of the respondents.

3. Since the petitioner in this writ petition seeks for raising of order of attachment reflected in the encumbrance certificate for the property morefully disclosed in the affidavit filed in support of this writ petition, the petitioner relies upon the judgment and decree passed by the trial court, dismissing the suit for default. In the said suit, attachment order was obtained earlier, which has been reflected in the encumbrance certificate. The suit was only dismissed for default and the judgment and decree was passed not on merits, but due to the



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non-prosecution of the suit by the plaintiff. In such circumstances, the Registration Department cannot release the property from attachment as it is also possible that the suit may have been restored to the file of the civil court subsequently. The petitioner will have to necessarily approach the appropriate court for raising the order of attachment. Either will have to approach the trial court, which had passed the attachment order or any other higher court. Since the representation of the petitioner as stated in the prayer to this writ petition cannot be considered by the respondents, the question of issuing direction to the 3rd respondent by this Court at this stage does not arise.

4. Accordingly, this Writ Petition is disposed of by granting liberty to the petitioner to approach the appropriate court for raising the order of attachment passed in respect of the property, which is morefully disclosed in the affidavit filed in support of this writ petition to enable the Registration Department to remove the encumbrance from their records. No costs.

04.03.2026

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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ABDUL QUDDHOSE, J.

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To

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