



WEB COPY

WP No. 11087 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 11087 of 2026

Indian Overseas Bank
Asset Recovery Management Branch,
Represented by its Assistant General Manager,
No.11/952, Cross Cut Road,
Coimbatore 641 012.

..Petitioner(s)

Vs

1. The Sub Registrar
Sulur,
Coimbatore District.
2. TJ Ashok Kumar
Proprietor M/s. Galaxy Ceramics,
No. 9, New Scheme Road,
Kongunagar, Ramanathapuram,
Opposite to Alvernia School,
Coimbatore 641 045.
3. TJ Anandakumar
No.3, R.R. Nagar,
Trichy Road, Coimbatore - 641 005.
4. T J Nandakumar
No.3, R.R. Nagar,
Trichy Road, Coimbatore - 641 005.
5. Appusamy
S/o. Mr. Mantharachalam,
No.3/27, Bogam Patti,
Sulur Taluk,
Coimbatore 641 658.



6. Bhuvaneshwaran
S/o. Mr. Appusamy,
No. 3/27, Ponnakkani,
Pappampatti, Idayarpalayam Post,
Sulur Taluk, Coimbatore 641 016.

7. Sivakumar
S/o. Mr. Subramaniam,
No. 4, Kaligoundar Street,
Chettipalayam, Sulur Taluk,
Coimbatore 641 201.

8. Sathiyabama
W/o. Mr. Sivakumar,
No. 4, Kaligoundar Street,
Chettipalayam, Sulur Taluk,
Coimbatore 641 201.

..Respondent(s)

PRAYER – This Writ Petition is filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, direction to the first respondent to register the sale certificate if presented by the recovery officer, DRT Coimbatore in favour of intending auction purchaser in terms of D.R.C. No. 14/2010 obtained by the petitioner bank notwithstanding the sale agreement registered as Document No. 13732 /2025 SRO, Sulur executed in favour of the respondents 5 to 8 by the third respondent.

For Petitioner(s): Mr.M.L.Ganesh

For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader (For R1)



ORDER

This Writ Petition has been filed to direct the 1st respondent to register the sale certificate presented by the petitioner for registration not withstanding the registration of the earlier sale agreement executed in favour of the respondents 5 to 8 by the 3rd respondent.

2.The petitioner has already initiated *sarfaesi* proceedings against the borrowers who are the respondents 2 to 4 in this Writ Petition. The petitioner claims that fraudulently, the sale agreement has been registered as Document No.13732/2025, SRO, Sulur, executed in favour of the respondents 5 to 8 by the 3rd respondent to illegally circumvent the *sarfaesi* proceedings initiated by the petitioner. The petitioner claims that even when the property is sold through auction under the *sarfaesi* proceedings, the registration department may refuse registration of the sale certificate since in the encumbrance, the registration of the sale agreement registered as Document No.13732/2025 is reflected. The petitioner also claims that all the original parent documents are available with them and they undertake to produce the same before the registration department at the time of presentation of the sale certificate for registration. The said undertaking given by the petitioner is recorded.



3.No prejudice would be caused to the respondents 2 to 8, if they are heard prior to the registration of the sale certificate to be presented by the petitioner for registration in the near future. Since no adverse orders are passed in this Writ Petition against the respondents 2 to 8, notice to the respondents 2 to 8 is dispensed with by this Court in this Writ Petition.

4.For the foregoing reasons, this Writ Petition is disposed of in the following manner:

(i) The petitioner is directed to present the sale certificate along with written explanation to the 1st respondent stating as to why there is no prohibition for the 1st respondent to register the said sale certificate within a period of two weeks from the date of receipt of a copy of this order.

(ii) On receipt of the same, the 1st respondent shall take a decision as to whether the said sale certificate pertaining to the subject property can be registered or not, after issuing notice to the respondents 2 to 8 and hearing their objections if any within a period of four weeks thereafter.

(iii) In case the 1st respondent decides to refuse the registration of the sale certificate presented by the petitioner



for registration, the 1st respondent shall pass a speaking order with regard to the petitioner's contentions and supporting documents.

(iv) However, there shall be no order as to costs.

25-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
GSA

To
The Sub Registrar
Sulur, Coimbatore District.



WEB COPY

WP No. 11087 of 2



ABDUL QUDDHOSE, J.

GSA

WP No. 11087 of 2026

25-03-2026