



WEB COPY

WP No. 18488 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 18488 of 2023

Kavitha

..Petitioner(s)

Vs

1. The District Registrar (Administration),
Coimbatore District, Coimbatore.
2. The Sub-Registrar,
Anaimalai Sub-Registration Office,
Anaimalai, Coimbatore District.
3. Sathish
4. Vasanthi
5. Prabakaran
6. Raji

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 24.04.2023 to remove the respondents name 3 to 6 entry made in encumbrance in Survey No. 12 / 6A1A1B having Patta No. 35, situated at Anaimalai Hills, Valparai Taluk, Coimbatore District.



WEB COPY

WP No. 18488 of 2



For Petitioner(s):

Mr.K.Nagendra Prasad

For Respondent(s):

Mr.S.Jayachandran

Government Advocate for R1 & R2

Mr.G.Govarthanan for R3 to R6

ORDER

This Writ Petition has been filed for a mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 24.04.2023 to remove the name of the respondents 3 to 6 in the entry made in encumbrance in Survey No. 12 / 6A1A1B having Patta No. 35, situated at Anamalai Hills, Valparai Taluk, Coimbatore District.

2. The learned counsel appearing for the petitioner would submit that though the petitioner initially entered into a sale agreement with the 3rd respondent, no sale deed was executed, since the 3rd respondent failed to come forward to pay the remaining amount. According to the petitioner, the advance amount already paid was returned and hence, he would submit that the entries made in the encumbrance required to be deleted. It is also stated that the petitioner's husband passed away as early as on 21.08.2021 hence, the present writ petition is filed by the petitioner.



3. The learned counsel appearing for the private respondents would submit that whatever the advance amount received by the petitioner's husband is not at all repaid and in this regard, a suit for recovery was filed in O.S.No.797 of 2023 before the Principal District Judge, Coimbatore where the petitioner as well as the two legal heirs also impleaded as defendants. Therefore, he would submit that unless otherwise the suit is decided, no order can be passed.

5. Heard the learned counsel appearing for the petitioner as well as the respondents and perused the material available on record.

6. In the present case, while the petitioner claim that her husband paid the advance amount received from the private respondents, the private respondents claim that no such amount was received and a civil suit is pending regarding recovery before the Principal District Judge, Coimbatore in O.S.No.797 of 2023 where the petitioner and other two legal heirs are also added as parties.

7. In such being the case, the disputed question of fact regarding the payment of advance amount is required to be decided in the civil suit. Unless otherwise the civil suit is disposed of, no further order can be passed in this writ petition.



8. This Writ Petition is disposed of with the above observations. No costs.

24-03-2026

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

KKN

To

1. The District Registrar (Administration),
Coimbatore District, Coimbatore.
2. The Sub-Registrar,
Anaimalai Sub-Registration Office,
Anaimalai, Coimbatore District.



WEB COPY

WP No. 18488 of 2



KRISHNAN RAMASAMY, J.

KKN

WP No. 18488 of 2023

24-03-2026