



W.P.No.12962 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.12962 of 2026

and

W.M.P.No.14166 of 2026

City Union Bank Ltd., Thirupathur Branch,
Rep. by its Authorized Officer,
Mr.K.Vaithianathan,
KAP Tirunathar Nagar,
Tirupathur, Vellore – 635 601.

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Tirupattur Registration District.

3.The Joint Sub-Registrar-II,
Tirupattur, Tirupattur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 3rd Respondent relating to the Refusal Check Slip dated 16.03.2026 made in Refusal No.RFL/2 எண் இணை சார்பதிவாளர் திருப்பத்துர்/23/2026, quash the same, and consequently direct the



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respondent to register the sale Certificate dated 16.03.2026 executed by the petitioner bank in favour of Mr.Ramakrishnan.

For Petitioner : Mr.RA.Gopinath

For Respondents : Mr.P.Harish
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip dated 16.03.2026 issued by the 3rd respondent refusing to register the sale certificate dated 16.03.2026 presented by the petitioner for registration on the ground that there is a court attachment over the very same property, which is the subject matter of the sale certificate.

2. The petitioner has challenged the impugned refusal check slip on the ground that it has been issued by total non-application of mind to the settled law, which is also confirmed by the 1st respondent's own circular No.22482/C1/2022, dated 12.07.2024 that when a sale certificate is issued under the SARFAESI Act, it is well settled that any attachment existing will have no significance and on that ground, the registering officer cannot refuse to register the sale certificate.



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3. Mr.P.Harish, learned Government Advocate, accepts notice on behalf of the respondents. He does not dispute the issuance of the circular No.22482/C1/2022, dated 12.07.2024 by the office of the Inspector General of Registration, Chennai – 28.

4. The relevant portion of the circular, which supports the case of the petitioner is reproduced hereunder:-

“f) Hon’ble High Court in W.P.No.11056/2024 has observed that attachment made by some department and when the sale certificate is issued under SARFAESI Act, 2002, it is well settled that any attachment existing will have no significance and on that ground the registering officer cannot refuse to register the sale certificate.”

5. As seen from the above mentioned circular issued by the Inspector General of Registration, it is clear that the 3rd respondent cannot refuse registration of the sale certificate issued under the SARFAESI Act even if there is any attachment existing over the property. The said circular is also issued only by following the directions issued by this Court in W.P.No.11056 of 2024. In view of the same, necessarily, the 3rd respondent will have to register the sale certificate presented by the



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petitioner for registration. By total non-application of mind to the circular issued by the Inspector General of Registration as well as to the settled law, the 3rd respondent has issued the impugned refusal check slip, dated 16.03.2026 refusing to register the sale certificate presented by the petitioner for registration.

6. Since the impugned order is arbitrary and not in accordance with law, the impugned refusal check slip, dated 16.03.2026 issued by the 3rd respondent is hereby quashed and this Writ Petition is allowed by directing the 3rd respondent to register the sale certificate dated 16.03.2026 executed by the petitioner bank in favour of Ramakrishnan, if the same is otherwise in order, within a period of two (2) weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

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(1/2)

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

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