



WEB COPY

WP No. 14400 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 14400 of 2026

Reliance Assets Reconstruction Co. Ltd
Rep. by its Assistant Vice President P.Prabhu

..Petitioner(s)

Vs

1. The Sub Registrar
Bhavani Sub Registration office,
Bhavani Main Road,
Taluk office campus, near ward 4,
Erode-638 301
2. The district Registrar office
4/130, Thiru Vee Ka Road,
Surampatti, Erode.
3. The Deputy Inspector General of Registration,
Integrated Building for commercial taxes and
Registration,
Fanepet, Nandanam,
Chennai-600 035
4. The Inspector General of Registration
No.100, Santhome High Road,
Chennai-600 028, Tamil Nadu

..Respondent(s)

calling for records pertaining to the refusal order bearing No.RFL/
Bavani/ 83/2025 dated 20.11.2025 issued by the 1st respondent and quash the
same and consequently direct the 1st respondent to register the sale certificated
dated 14.11.2025 executed in favor of N Mohan Kumar S/o.Nallasamy.

For Petitioner(s): Mr.Gautam S.Raman

For Respondent(s): Mr.U.Baranidharan,SGP



Order

This writ petition has been filed, challenging the impugned refusal check slip dated 20.11.2025 issued by the first respondent, refusing to register the Sale Certificate dated 14.11.2025, 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 categorically contends before this Court that there is no legal impediment for the first respondent to register the Sale Certificate, which is presented for registration. By initiating SARFAESI proceedings, the purchaser by virtue of the Sale Certificate dated 14.11.2025 became the owner of the property. However, the first respondent has refused to register the sale certificate presented by the petitioner, which is an Asset Re-construction Company on the ground that there is a court attachment over the very same property, which is the subject matter of the sale certificate presented by the petitioner for registration. The petitioner categorically contends that being a secured creditor and the sale certificate having been issued in favour of the purchaser as per the provisions of SARFAESI Act, there is no legal impediment for the first respondent to register the sale certificate despite there being a court attachment order by an unsecured creditor over the very same property.

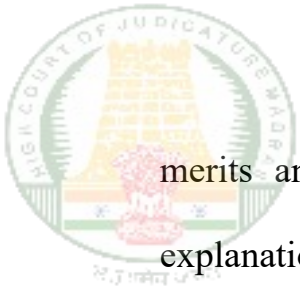


3.The petitioner has also challenged the impugned order on the ground of violation of the principles of natural justice as they were not afforded any opportunity of hearing by the first respondent before issuing the impugned refusal check slip dated 20.11.2025.

4.Mr.U.Baranidharan, learned Special Government Pleader accepts notice on behalf of the respondents.

5.As seen from the impugned refusal check slip dated 20.11.2025 issued by the first respondent, the contentions of the petitioner as raised in this writ petition along with the supporting documents have not been considered by the first respondent. The petitioner was also not afforded an opportunity of hearing by the first respondent before issuing the impugned refusal check slip dated 20.11.2025. Being a non-speaking order and an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip dated 20.11.2025 issued by the first respondent has to be quashed and the matter has to be remanded back to the first respondent for fresh consideration, on merits and in accordance with law.

6.Accordingly, this writ petition is disposed of and the impugned refusal check slip dated 20.11.2025 issued by the first respondent is quashed and the matter is remanded back to the first respondent for fresh consideration, on



merits and in accordance with law. The petitioner shall submit a written explanation along with the supporting documents to the first respondent stating as to why there is no legal impediment for the first respondent to register the Sale Certificate, presented by the petitioner for registration despite there being a court attachment over the very same property, within a period of one week from the date of receipt of a copy of this order. On receipt of the said written explanation along with the supporting documents within the stipulated time from the petitioner, the first respondent, after giving due consideration to the written explanation submitted by the petitioner and the supporting documents produced by them, shall take a final decision as to whether the Sale Certificate presented by the petitioner for registration can be registered or not, within a period of 3 weeks thereafter. In case the first respondent decides to refuse registration of the Sale Certificate, the first respondent shall pass a speaking order, after giving due consideration to the written explanation submitted by the petitioner as well as the supporting documents produced by them. No costs.

20-04-2026

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

VGA



To

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ABDUL QUDDHOSE J.

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