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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WA.No.3394 of 2026
CNR:{HCMA011256522026}
and
CMP.No.30437 of 2026

Case QR

1. K.V.Thangavel
2. T.Shanthi

..Appellants

Vs

1. Ponnusamy

2. The Sub-Registrar,
   Karumathampatti Sub Registrar Office,
   Kalangal Road,
   SRS Puram, Sulur,
   Coimbatore - 641 402.

3. The District Registrar (Admin),
   Coimbatore South, Fifth floor,
   Singapore Plaza, Crosscut Road,
   Gandhipuram,
   Coimbatore - 641 012.

..Respondents

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PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the impugned order dated 10.02.2026 made in WP.No.3357 of 2026.

For Appellants: Mr.Jayesh B.Dolia
Senior Counsel
for Mr.M.S.Seshadri

For Respondents: Mr.M.vijayan
for Mr.S.Udayakumar For R1
Ms.S.Yogalakshmi
Additional Government Pleader For R2 & R3

JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam, J.)

Under assail is the writ order dated 10.02.2026 passed in W.P.No.3357 of 2026.

2.The appellants are the third parties and by securing leave from this Court instituted the present Intra-Court appeal under Clause 15 of the Letters Patent.

3.Mr.Jayesh B.Dolia, learned senior counsel appearing on behalf of the appellants would mainly contend that the appellants are aggrieved

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in view of the findings made by the Writ Court in paragraph No.4 of the writ order impugned.

4.In paragraph 4 of the impugned order, the Writ Court made an observation regarding the rights of the secured creditors as well as the rights of the auction purchaser. These rights are now subjudiced in a proceedings before the Debt Recovery Tribunal (DRT), Coimbatore under SARFAESI Act.

5.The said fact is not disputed between the parties. The sale certificate issued by the Recovery Officer came to be registered under the Registration Act. Possession remains with the Bank. Subsequent sale is also effected by registering a sale deed as per the submission made on behalf of the first respondent. Therefore, the fact remains that the sale certificate registered, subsequent sale also effected by registering a sale deed before the Sub-Registrar but the DRT proceedings challenging the auction sale and sale certificate are pending before the DRT, Coimbatore. It is needless to state that all subsequent transactions made are subject to the final decision by the DRT under the

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SARFAESI proceedings. However, the writ order deserves no further interference except this modification.

6.The Writ Appeal stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (R.R.V.,J.)
24-11-2026

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

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To

1. The Sub-Registrar,
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   Coimbatore - 641 402.

2. The District Registrar (Admin),
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S.M.SUBRAMANIAM, J.
AND
R.RAJESH VIVEKANANTHAN, J.

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