



WEB COPY



W.P.No.430

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 43081 of 2025

S.Srividya

D/o.Late Sampathnarayanan, 13 Hedgerow Lane,
Manalapan, NJ 07726 U.S.A. Representd By Her
Power Agent, Mrs. K.S.Chendra (Femalae / Aged
About 76 Years) W/o.Late Sampthnarayanan,
Door No.32/33, Reddy Kuppam Road, Saidapet
Chennai 600 015.

..Petitioner(s)

Vs

1. The Inspector General Of Registration,
No.100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalai Puram,
Chennai District 600 028.
2. The District Registrar
District Registration Office, No.10,
Kancheepuram Main Road, Chengalpattu
District 603 002.
3. The Sub - Registrar,
Sub Registration Office Joint Ii, No.10,
Kancheepuram Main Road, Chengalpattu
District 603 002.
4. S.N.S.Pandian,
K.Nataraja Pillai, No.1822, E W S, Vasantham
Colony, Anna Nagar, Chennai - 600040.
5. Senulakshmi,
S/o. Sathiyarayanan, No.43, 1st Street,



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Veerapandi Nagar, Choolaimedu,
Chennai - 600 094. (R4, R5 IMPEADED
VIDE ORDER DATED 24.11.2025 MADE IN
WMP.50761/2025 IN WP.43081/2025 BY KRJ)

..Respondent(s)

PRAYER: This writ petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the 2nd respondent to consider the petitioner's representation on 25/03/2025 and remove or make a suitable remark in the encumbrance record that the sale agreement dated 14/03/1988, vide document No.664/1988 which registered before the 2nd respondent to relating property situated at plot no.953, measuring an extent of 2400 square feet bearing patta No.9168, Approved layout CR / D.T.C.P.M 83 /90 / LP.55, vide Roc No.1627 /83 CRT of Sree Gokulapuram of Sengundram Village, Chengalpattu Taluk and District.

For Petitioner(s): Ms.Thenmozhi Shivaperumal

For Respondent(s): Mr.U.Baranidharan, Spl. G.P. for R1 to R3

ORDER

This petition has been presented by the agent of S.Srividya, who is the owner of the property bearing plot No. 953 of the extent of 2400 sq.ft. and bearing patta No.9168. Intending to sell the property, the petitioner noticed that the encumbrance certificate contains an entry relating to registered agreement of sale dated 14.03.1988. According to the petitioner, the intending purchaser did not remit sale consideration in accordance



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with the terms of the agreement and therefore, the agreement was not acted upon. In any event, the petitioner states that such agreement of sale cannot stand in the way of the petitioner's right to sell the property .

2. Upon notice being issued to the fourth and fifth respondents, such notice had been returned "unserved" with the endorsement "left". In view of the nature of order proposed to be issued, service of notice on the said respondents is not necessary.

3. Learned Special Government Pleader submits that an agreement of sale does not stand in the way of the petitioner executing conveyances in respect of the said property. He, however, also submits that the entry cannot be effaced.

4. In *N.Ramayee - Vs - The Sub Registrar & Ors. Reported in (2020 (6) CTC 697)*, the Division Bench of this Court held that an agreement of sale does not stand in the way of the registration of conveyances relating to the relevant property. This conclusion flows from the fact that an agreement of sale does not create an interest in the property concerned. Therefore, if the petitioner were to present a sale deed or other documents of conveyance relating to the property, the Registering Officer shall not decline registration on the basis of the agreement of sale referred to above. This redresses the grievance of the petitioner. With this observation, this writ petition is disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KAL

To

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SENTHILKUMAR RAMAMOORTHY, J.

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