



WEB COPY

WP No. 50671 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 50671 of 2025
and WMP.No.56748 of 2025**

1. Leelabai,
W/o. Ashok Kumar,
2. Ajith Raj, S/o. Ashok Kumar,
(Petitioners 1 and 2 are residing at
No. 29, Gandhi Road, Thiruvathipuram,
Cheyyar Town, Cheyyar Taluk,
Tiruvannamalai District 604 407.

..Petitioners

Vs

1. The Deputy Superintendent of Police,
Economic Offences Wing,
Tiruvannamalai District.
2. The District Registrar,
Registration District of Cheyyar,
Tiruvannamalai District.
3. The Sub Registrar, Joint 2 Sub Registrar office,
Cheyyar, Cheyyar Taluk,
Tiruvannamalai District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the impugned order passed vide Na.Ka.No.22/E.O.W. Tiruvannamalai/ 2024/ dated 18.01.2024 by the 1st respondent quash against petitioners' property,



quash the same and to direct 2nd and 3rd respondents to remove the attachment marked in Document Nos. 146/2023 and 147/ 2023 in Encumbrance Certificate.

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For Petitioners: Mr. Prabakaran
Mr. M.Mahendran

For Respondents: Mr.S.Sugendran, Addl. Public Prosecutor for R1
Mr.P.Harish, Govt. Advocate for R2 & R3

ORDER

The petitioners assert title over the properties described in paragraphs 4 and 5 of the affidavit in support of the writ petition under sale deeds bearing document nos.146/2023 and 147/2023. On the basis of the said property being offered as security, the petitioners endeavoured to obtain top-up loans from the ICICI bank. By citing the entry in the encumbrance certificate, the request for top-up loans was declined. Hence, this writ petition.

2. Mr.S.Sugendran, learned Additional Public Prosecutor, accepts notice for the first respondent and Mr.P.Harish, learned Government Advocate, accepts notice for respondents 2 and 3.

3. Learned counsel for the first respondent points out that a letter was issued on 18.01.2024 to the Sub-Registrar. He clarifies that there is no order of attachment as on date.



4. On perusal of the encumbrance certificate, it is noticeable that it is recorded by way of remark against document nos.146/2023 and 147/2023 that there is a prohibition against registration of documents relating to the properties concerned. By issuing letter dated 18.01.2024, the registration of conveyances could not have been prevented. In order to do so, it would be necessary to obtain an order from a jurisdictional court. Therefore, the Sub-Registrar is directed to make neutralising entries so as to enable the registration of documents relating to the relevant properties. This shall be done within three weeks from the date of receipt of a copy of this order. It is, however, clarified that this order will not stand in the way of the Sub-Registrar making entries in the encumbrance certificate if an order of attachment were to be issued in relation to either of the properties.

5. With the above observations, the writ petition stands disposed of without any order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet: Yes/No
Neutral Citation : Yes/No

22-01-2026
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SENTHILKUMAR RAMAMOORTHY, J.

KJ

To

1. The Deputy Superintendent of Police,
Economic Offences Wing,
Tiruvannamalai District.
2. The District Registrar,
Registration District of Cheyyar, Tiruvannamalai District.
3. The Sub Registrar, Joint 2 Sub Registrar office, Cheyyar, Cheyyar Taluk,
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