



WEB COPY

WP No. 50623 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 50623 of 2025
and W.M.P.Nos.56685 & 56687 of 2025**

1. Aadhavan Kalathinathan,
S/o. K.R.Kalathinathan, No. 11.13,Kalamegam
Street, Gobichettipalayam -638 452.Erode
District.
2. Rino Yashana Vivekanandan,W/o. Aadhavan
Kalathinathan, No. 11,13,kalamegam Street,
Gobichettipalayam638 452,erode District.

..Petitioner(s)

Vs

1. The District Collector, Erode District,
Theeranchinnamalai Malaigai, Perundurai
Road, Erode -638 011.
2. The Inspector General Of Registration,
Registration Department, No. 100, Santhome
High Road, Chennai -600 028.
3. The District Registrar, District Registrar Office,
Erode District -638 011.
4. The Sub Registrar, Sub Registrar Office,
Bhavani, Erode District -638 301.
5. The District Revenue Officer, District
Collectorate, Erode -638 011.
6. The Revenue Divisional Officer, Erode
Division, Csi Institutions Campus,
Chidambaram Colony, Erode -638 001.



7. The Tahsildar, Erode Taluk Taluk Office,
Panneer Selvam Park, Erode -638 001.
8. The Executive Officer, Chithode Town
Panchayat, Chithode, Erode District-638102.
9. The Superintendent Engineer/divisional
Engineer,Tamil Nadu Electricity
Board/tangedco, Bhavani Division, Erode
District -638 301.
- 10.The Assistant Engineer,Tamil Nadu Electricity
Board/tangedco, Chithode West Section, Erode
District -638 001.
- 11.The Superintendent Of Police,District Police
Office, Panneer Selvam Park, Erode District
-638 001.
- 12.T.Neelavathy,94, Mamarathu Palayam,
Gangapuram Taluk, Erode District -638 102.
- 13.K.Senthilkumar,S/o. R.Karupannan, 33,
Nadupalayam, Chithode(post), Erode Taluk,
Erode District -638 102.

..Respondent(s)

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, directing the respondents 2 to 4 herein to delete the encumbrance entry pertaining to the property being agricultural land and building, measuring 15 cents, located in No. 88/4A, Nallagoundampalayam Village, Erode Taluk, Erode District, said to be executed as sale deed by the 12th respondent in favour of 13th respondent herein and to thereafter consider the Petitioners objection dated 4.12.2025 made to the 4th respondent herein and decide on the same prior to registration or making any entries in the records of



the respondents 2 to 4 herein, regarding the said sale deed dated 28.11.2025 said to be executed by the 12th respondent in favour of 13th respondent.

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For Petitioner(s): Mr.G.K. Muthukumar, Mr.I.Arunkumar
Mr.Karthikeyan TC

For Respondent(s): Mr.P.Harish,
Government Advocate
for R1 to R8
Mr.S.Sugendran,
Additional Public Prosecutor
for R11

ORDER

The petitioners assert that they purchased 40 cents of land along with a tiled house in New Re-survey No.88/4A at Nallagoundampalayam Village, Erode Taluk, Erode District from R.Sakunthaladevi and three others by registered sale deed dated 04.04.2024 bearing Document No.2099 of 2024. Thereafter, it is stated that revenue records were mutated in favour of the petitioners. Upon noticing that sale deed dated 28.11.2025 was registered under Document No.7681 of 2025 in favour of the 13th respondent herein, the present writ petition has been filed seeking deletion of the entry relation thereto from the encumbrance certificate.

2. Learned counsel for the petitioner invited my attention to the order dated 27.10.2025 in W.P.No.39869 of 2025 directing a survey of the land purchased



by the petitioners. He also points out that the survey notice was served on the 13th respondent herein. While proceedings relating to the survey had been initiated and were underway, he submits that sale deed dated 28.11.2025 was fraudulently registered in favour of the 13th respondent. In particular, he points out that the remarks column in the encumbrance certificate makes reference to electricity connection no.01045004383, which is a connection standing in the name of the petitioners. He also points out that the property tax receipt has also been referred to therein. Learned counsel contends that this Court is empowered to adjudicate such matters especially in the context of fraud.

3. Mr.P.Harish, learned Government Advocate, accepts notice for respondents 1 to 8 and Mr.S.Sugendran, learned Additional Public Prosecutor, accepts notice for the 11th respondent.

4. The encumbrance certificate indicates clearly that a sale deed has been registered in favour of the 13th respondent by the 12th respondent herein. Such registration has been done on 28.11.2025. In order to consider the request for relief made by the petitioners, it would be necessary for this Court to examine and determine the title of the petitioners *vis-a-vis* the title asserted by the 12th and 13th respondents. In summary proceedings, it is difficult to appropriately adjudicate such issues. The petitioners are well within the period of limitation



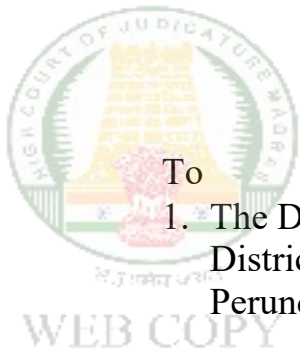
to approach the jurisdictional civil court to challenge the sale deed in favour of the 13th respondent. Learned counsel for the petitioners expresses a strong apprehension that the revenue records, property tax assessment and electricity connection records would be mutated on the basis of the impugned sale deed. The jurisdictional Tahsildar, Revenue Divisional Officer, Executive Officer and TANGEDCO officials are directed to issue notice and provide a reasonable opportunity to the petitioners if an application for mutation were to be made. Without issuing notice to the petitioners and providing them with a reasonable opportunity, any request for mutation of the above records relating to the relevant property should not be entertained.

5. With these observations, this writ petition is disposed of by leaving it open to the petitioners to approach the jurisdictional civil court for the relief claimed herein. No costs. Consequently, the connected writ miscellaneous petitions are closed.

22-01-2026

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

RNA



To

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Registration, Registration Department, No. 100,
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