



WP(MD). No.5867 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04/03/2026

CORAM

**THE HONOURABLE MR. JUSTICE D.BHARATHA
CHAKRAVARTHY**

WP(MD). No.5867 of 2026

D.Shanthi Through her Power agent,
P.Thirunavukarasu

... Petitioner

Vs

1. The No.1 Joint Sub-Registrar,,
Joint No.1 Sub-Registrar Office,
No.171, Palace Road,
Madurai - 625001.

2. M.S.Muthuraman,,
S/o.Sinnuthevar,

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus Directing the 1st Respondent to make entry in the encumbrance certificate regarding the judgement in A.S.No.61 of 2017 passed by the Honourable V Additional District Court, Madurai dated 03.07.2025 within Reasonable time as fixed by this Court.



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For Petitioner : Mr.M.K.A.Kasim Sait,
For R1 : Mr.M.Gangatharan,
Government Advocate (Crl.Side)

ORDER

The prayer in the writ petition is to direct the respondents to make an entry in the encumbrance Certificate regarding the judgment in A.S.No.61 of 2017 passed by the V Additional District Court, Madurai dated 03.07.2025, within a reasonable time.

2. It must be seen that an encumbrance certificate will only reflect the existing transactions. The grievance of the petitioner seems to be that when the property belonging to the petitioner was claimed by the rival party, he verified their title, the third parties had filed a suit for specific performance and by getting a decree, transferred the petitioner's property. Therefore, the petitioner filed another suit to declare that the said decree is fraudulent and the said suit was dismissed as against which, he filed A.S.No.61 of 2017, which has now decreed in favour of the petitioner. Therefore, if the petitioner wants the said decree to be registered, the same should be presented in the manner known to law for registration, a mere representation to include in the Encumbrance Certificate will not



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suffice. Therefore keeping open the liberty to the petitioner to present the certified copy of the decree in A.S.No.61 of 2017 for registration in the manner known to law and as and when, such decree is presented, the same shall be considered for registration by the first respondent.

3. With the above directions, this writ petition is disposed of. No Costs.

04.03.2026

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TO

The No.1 Joint Sub-Registrar,,
Joint No.1 Sub-Registrar Office,
No.171, Palace Road,
Madurai - 625001.



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D.BHARATHA CHAKRAVARTHY,J

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