



W.P.(MD)No.4680 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :19.02.2026

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.4680 of 2026

V.Rajan

... Petitioner

Vs

1. The Inspector General of Registration,,
Office of the Inspector General of Registration,
100, Santhome High Road,
Mylapore, Foreshore Estate,
Chennai, Tamil Nadu - 600028..

2. The District Registrar,,
Office of the District Registrar,
Virudhunagar District..

3. The Joint Sub Registrar No.I,,
Office of the Sub-Registrar of
Virudhunagar, Virudhunagar District..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS, to call for the records relating to the impugned order in Na.Ka.No.132/A1/2026 dated 12.01.2026 passed by the 2nd respondent herein and quash the same as illegal and consequently direct the respondents to remove the Entry No.4 of 2015 dated 24.04.2015 from the Encumbrance Certificate relating to the petitioner's property in Survey No.337/2 of Villipathri Village, Aruppukottai Taluk, Virudhunagar



W.P.(MD)No.4680 of 2026

District measuring about 0.44.50 Hectares, within the time stipulated by this Court.

For Petitioner :Mr.R.Surianarayanan
For Respondent :Mr.A.Kannan
Addl. Government Pleader

ORDER

This writ petition has been filed challenging the impugned order dated 12.01.2026 and for a consequential direction to the respondents to remove the Entry No.4 of 2015 dated 24.04.2015 from the Encumbrance Certificate relating to the petitioner's property in Survey No.337/2 of Villipathri Village, Aruppukottai Taluk, Virudhunagar District measuring about 0.44.50 Hectares, within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for respondents. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3. The learned counsel for the petitioner would submit that the petitioner is the owner of the property in S.No.337/2 of Villipathri Village, Aruppukottai Taluk, Virudhunagar District measuring about



W.P.(MD)No.4680 of 2026

0.44.50 Hectares and is in peaceful possession and enjoyment of the same. However, in the encumbrance certificate, there occur an entry to the effect that there is a Court restraint order thereby restraining the petitioner from dealing with the property in question. The said order came to be passed in MP No.2 of 2013 in AS Nos.72 to 74 of 2013 by this Court on 29.04.2013. The learned counsel would contend that when the petitioner was not at all a party to AS Nos.72 to 74 of 2013, as if an interim injunction was obtained for S.No.337/2, in the encumbrance certificate relating to the petitioner's property, the interim injunction was form part of the record. However, he would submit that in the appeal suit, the schedule is wrongly mentioned as S.No.337/2 instead of S.No. 337/4. When the petitioner was not a party either in the original suit and in the appeal suit, an injunction made to S.No.337/4 has been reflected in the petitioner's property ie., in S.No.337/2 is illegal and hence, in order to remove such entry, the petitioner has approached the respondents. However, it was rejected by the respondents vide impugned order stating that the said entry could not be removed by the authorities. It is also submitted that when the appeal suit was dismissed and the consequential Miscellaneous Petitions were also closed by this Court, there is no impediment for the respondents to remove such an entry and prays for



W.P.(MD)No.4680 of 2026

appropriate direction.

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4. Learned Additional Government Pleader for the respondents, would submit that if any order is passed by this Court, the respondents would abide by the said direction.

5. I have considered the rival submissions and perused the materials available on record.

6. This Court dismissed the appeals in AS Nos.72 to 74 of 2013 vide judgment dated 29.10.2018 as withdrawn and the connected Miscellaneous Petitions were also closed. Once the main appeals were dismissed, the interim injunction granted on 29.04.2013 has also been lapsed. Hence, when the appeals themselves were dismissed, the respondents can very well remove/neutralize the entry made in the encumbrance certificate with regard to Suvey numbers mentioned therein. However, it is the case of the petitioner that the petitioner is neither a party to the appeal suit before this Court nor the party to the original suit before the trial court and the suit pertains to S.No.337/4. However, the petitioner's property is S.No.337/2. When that be so, the



W.P.(MD)No.4680 of 2026

entry made with regard to the petitioner's property in S.No.337/2 is a wrong entry. As on date, there is no interim injunction in operation and AS (MD) Nos.72 to 74 of 2013 also not in existence. For all these reasons, there is no impediment for the respondents to remove the entry recorded in the encumbrance certificate, so as to neutralize the interim injunction granted by this Court on 29.04.2013. Hence, the impugned order is liable to be interfered with. Accordingly, the third respondent is directed to remove/neutralize the said entry in the encumbrance register and the closure of Miscellaneous Petitions in AS No.72/2013 is directed to be recorded by the third respondent in the register to neutralize the said entry.

7. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

19.02.2026

NCC :Yes/No
Index :Yes/No
RR



W.P.(MD)No.4680 of 2026

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W.P.(MD)No.4680 of 2026

KRISHNAN RAMASAMY, J.

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W.P.(MD)No.4680 of 2026

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