



W.P.(MD)No.9997 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.9997 of 2026

Raja

.. Petitioner

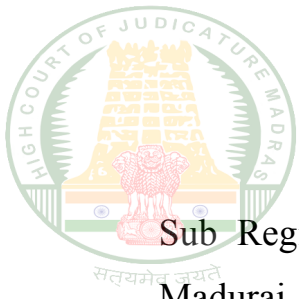
- Vs. -

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- 1.The Inspector General of Registration,
Door No.100,
Santhome High Road,
Foreshore Estate, Pattinapakkam,
Chennai-600 028.
- 2.The Deputy Inspector General of Registration,
Madurai Circle,
Combined Registration Department Office,
Madurai, Madurai District.
- 3.The District Registrar (Administration),
Combined Registration Department Office,
Madurai, Madurai District.
- 4.The Joint Sub Registrar-I,
Madurai South, Madurai.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 3 and 4 to remove the wrong entry as “Loan Orders-Madurai Taluk Munsif Court-E.P.No.167/1992 in O.S.No.429/1980, dated 27.04.2000” made in the encumbrance certificate in document No.54/2000 in respect of the survey No. 71/2 to an extent of 90 cents situated at Perunkudi Village, Madurai South, Joint



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Sub Registrar No.I, Sub Registration Circle, Madurai Registration District, Madurai District, by considering the petitioner's representation dated 20.02.2026 within the time frame fixed by this Court.

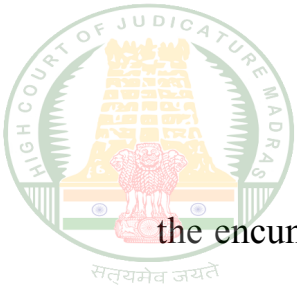
For Petitioner : Mr.K.Sheenivasan

For Respondents : Mr.R.Parthiban
Government Advocate

ORDER

The Writ Petition is filed for a Mandamus, directing the respondents 3 and 4 to remove the wrong entry as “Loan Orders-Madurai Taluk Munsif Court-E.P.No.167/1992 in O.S.No.429/1980, dated 27.04.2000” made in the encumbrance certificate in document No.54 of 2000 in respect of survey No.71/2 to an extent of 90 cents situated at Perunkudi Village, Madurai South, Joint Sub Registrar No.I, Sub Registration Circle, Madurai Registration District, Madurai District.

2. The grievance of the petitioner is that when the petitioner is the owner of the property and is in possession and enjoyment of the same. The aforesaid entry relating to the attachment of the property finds place in the encumbrance. The petitioner was unsuccessful even in applying the certified copy of the final orders that are passed in the execution petition, since it is stated that the records have been destroyed. Under the said circumstances, if the entry alone is there in



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the encumbrance, the same causes a cloud on the title of the petitioner, and the petitioner is finding it difficult to deal with the property.

3. I have heard the learned Government Advocate appearing on behalf of the respondents. On the earlier occasion, considering the plea of the petitioner that the record is not available, this Court called for remarks from the learned District Munsif, Madurai Taluk. It can be seen from the report that a money decree was passed by the District Munsif Court, Thirumangalam, and in connection thereto, E.P.No.167 of 1992 was filed after the decree was transmitted to the concerned Court. Initially, the execution petition was dismissed for default, and thereafter, it was restored, and ultimately, from the ledger extract, it is seen that on 23.09.1998, the execution petition was dismissed as not pressed. A copy of the ledger extract is also annexed along with the report of the learned Munsif.

4. In view thereof, this Writ Petition is allowed on the following terms:

(i) Upon filing of a copy application by the petitioner, the learned District Munsif, Madurai Taluk, shall furnish a certified copy of the said ledger extract, which clearly says that the execution petition is dismissed as not pressed;

(ii) Thereafter, the petitioner can present the said certified copy



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before the Sub Registrar and due entry with reference thereto can also be made so that it will reflect that there is no encumbrance with reference to the attachment that is pending against the petitioner's property and the petitioner will be entitled to deal with the property without any further reference to the said attachment in question.

(iii) No costs.

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To

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