



W.P.(MD)No.26282 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2026

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**  
AND  
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.26282 of 2024  
and  
W.M.P.(MD)No.22277 of 2024

Edelweiss Asset Reconstruction Company Limited,  
Trustee of the EARC Trust – SC 448,  
Represented by its Authorized Signatory,  
Having its register office at Edelweiss House,  
Off C.S.T Road, Kalina, Mumbai – 400 098  
Vs.

... Petitioner

1.The Inspector General of Registration,  
Office of the Inspector General of Registration,  
No.100, Santhome High Road,  
Chennai – 600 028.

2.The Sub-Registrar,  
Melapalayam,  
35 B, “Bardos Complex”,  
Ambai Road,  
First Floor,  
Malapalayam, Palayamkottai Taluk,  
Tirunelveli – 627 005.

3.The Sub-Registrar,  
O/o. The Sub-Registrar Office,  
Thirupathur Joint II, Vellore – 635 601.



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4.The Sub-Registrar,  
O/o. The Sub-Registrar Office,  
Avalpoondurai, Erode – 638 115.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India seeking to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to register and hand over the Assignment Agreement dated 07.02.2023 executed between the petitioner and M/s.ICICI Home Finance Company Limited bearing No.P/26/2023 within a time frame to be fixed by this Court.

For Petitioner : Mr.V.Jeevan Ram

For Respondents : Mr.M.Lingadurai,  
Additional Government Pleader

### ORDER

(Order of the Court was delivered by **DR.G.JAYACHANDRAN, J.**)

The assignment agreement dated 07.02.2023 was sought to be registered before the Sub Registrar, Tirunelveli. Since the said assignment agreement covers the property located outside the territorial jurisdiction of the Sub Registrar Office, Tirunelveli, the document presented has not been taken up for registration, as No Objection Certificate (NOC) from respondent Nos.3 & 4 has not been obtained.



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2. The present writ petition has been filed seeking issuance of a writ of mandamus directing the 2<sup>nd</sup> respondent, namely the Sub Registrar, Tirunelveli, to register the document and hand over the assignment deed dated 07.02.2023 without insisting upon No Objection Certificate (NOC) from the other two Sub Registrars, within whose jurisdictions the other two properties are situated.

3. The Sub Registrar, Tirunelveli, has filed a counter, stating that without obtaining No Objection Certificate (NOC) from the other two Sub Registrars, the document of assignment containing composite properties situated in three different Sub Registrar's jurisdictions, cannot be taken up for registration.

4. The circular of the first respondent, namely the Inspector General of Registration, Chennai, dated 29.06.2022 has been referred to in order to justify the said action. The relevant portion of the counter affidavit filed by the second respondent reads as follows :

*“7. I submit that the Petitioner Company is not entitled to the relief sought for in the present Writ Petition on the following reasons :*



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*(i) I submit that the 1<sup>st</sup> Respondent / Inspector General of Registration, in his Circular No.37248/C1/2021, dated 29.06.2022, while giving instructions to curtail fraudulent documents and misusing the provision of Section 28 of the Registration Act, inter alia, when the document presented contains more than one property which are situated outside the jurisdiction of the concerned Sub Registrar office, such document should compulsorily be kept pending and 'Status Report' regarding the other property situate in other Sub-Registrar office should be obtained from the other SR office through their respective Deputy Inspector General of Registration and the subject document may be registered if there are no legal impediments in respect of such other property as per the 'Status Report' received from the other SR office with the concurrence of the respective Deputy Inspector General of Registration.*

*(ii) I submit that the Deputy Inspector General of Registration, Vellore, in her Letter No.2222/E2/2023, dated 10.05.2023, has informed the 2<sup>nd</sup> Respondent / Sub Registrar, Melapalayam, that no concurrence can be given to register the Assignment Agreement, since in respect of one of the properties*



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*mentioned therein viz. S.No.311/6, Pachal Village, Thirupathur Taluk, formerly Vellore District now Tiruppathur District, admeasuring to 3.48 ares, one Gopash Bhadra, has purchased the said property vide Doc.No.4826/2014 and thereafter entered into a sale agreement with one Selvaraj vide Doc.No.2134/2016 and hence in view of the Circular of the 1<sup>st</sup> Respondent No.24011/C1/2020, dated 08.10.2020, concurrence cannot be given.*

*(iii) I submit that the Letter dated 10.05.2023 of the Deputy Inspector General of Registration, Vellore, further reads that as per the Circular dated 08.10.2020 of the 1<sup>st</sup> Respondent, if the encumbrance reveals the registration of any document of sale agreement, the Registering Authority has to verify the recitals in the subsequent document, produced for registration, which should contain (i) the time limit shown in the earlier sale agreement (ii) that no suit is pending before any Civil Court, seeking for the relief of specific performance in respect of the subject property; (iii) that the period of three years' limitation for filing such a suit is also over and (iv) to file a separate undertaking in this regard.*



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*(iv) I submit that since the Deputy Inspector General of Registration, Vellore has refused to give concurrence for the 3<sup>rd</sup> Respondent Sub Registrar Office, the Assignment Agreement produced by the Petitioner Company before the 2<sup>nd</sup> Respondent Sub Registrar Office, has not been registered.”*

5. We find that the assignment agreement submitted by the petitioner cannot be registered for the reason that, unless and until the petitioner obtains No Objection Certificate (NOC) from the other respondents, namely the 3<sup>rd</sup> and 4<sup>th</sup> respondents, the second respondent cannot register the document, as it contains the property situated outside his jurisdiction.

6. The learned counsel for the petitioner submits that a representation has been made by the petitioner to the 3<sup>rd</sup> and 4<sup>th</sup> respondents for issuance of No Objection Certificate (NOC), but the same has not been issued so far. If it is so, the 3<sup>rd</sup> and 4<sup>th</sup> respondents shall consider the said representation made by the petitioner and pass appropriate orders in accordance with law.



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7. With the above directions, this Writ Petition is disposed of.

Consequently, the connected Writ Miscellaneous Petition is closed.

**[G.J., J.] & [K.K.R.K., J.]**  
**11.02.2026**

Index : Yes/No

Internet : Yes

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To

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