



WEB COPY

WP No. 46890 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 46890 of 2025

Manju Foundations Private Limited,
Represented by Director, Mr K. Kumar,
No. 8, Sapthaswara Apartments, Flat No. K,
1st Avenue, Ashok Nagar, Chennai 600 083.

..Petitioner

Vs

- 1.The Inspector General of Registration, Chennai.
- 2.The District Registrar,
Tindivanam District Registration Office,
Tindivanam.
- 3.The Sub-Registrar, Sub-Registrar Office,
Marakkanam, Villupuram District.
- 4.The Thasildar, Taluk Office, Marakkanam.
- 5.Loganathan, S/o Ponnuranga Chettiyar,
Kaipanikkupam Village, Marakkanam Taluk,
Villupuram District.
- 6.K. P. Nagarajan, S/o Ponnuranga Chettiyar,



Kaipanikkupam Village, Marakkanam Taluk,
Villupuram District.

..Respondents

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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to consider and dispose petitioner's representation dated 09.09.2025 and further conduct enquiry by recording the pendency of O.S. No 345 of 2022 on the file of the I Additional District Court, Tindivanam, in the relevant encumbrance and registration records relating to Survey nos. 195/4A and 211/1, Marakkanam (North) village, within such time frame as fixed by this Hon'ble Court.

For Petitioner: Mr.M.Ashwin Kumar
for Mr.R.Suryanarayanan

For Respondents: Mr.U.Baranidharan, SGP for R1 to R4

ORDER

The petitioner asserts that it had entered into a sale agreement dated 16.04.2015 with respondents 5 & 6 in respect of the property bearing S.Nos.195/4 & 211/1. It is also stated that an advance of Rs.50,000/- was paid as part consideration. Thereafter, upon coming to know that respondents 5 & 6 had taken steps to sell the properties to third parties, the petitioner filed



O.S.No.345 of 2022 on the file of I Additional District Court, Tindivanam

seeking specific performance of agreement dated 16.04.2015. After discovering that further encumbrances are being created on the relevant property, the petitioner had submitted a representation to the third respondent to record the pendency of the suit in the encumbrance certificate. The present writ petition relates thereto.

2. Mr. U.Baraniidharan, learned Special Government Pleader, accepts notice for respondents 1 to 4.

3. The admitted facts indicate that the petitioner had entered into a sale agreement with respondents 5 & 6. An agreement of sale does not create an interest in the property. It is, however, open to the petitioner to seek orders of injunction to prevent creation of third party interest while the suit for specific performance is pending. It is even open to the petitioner to seek a direction that any such order, if obtained, be communicated to the Sub-Registrar concerned.

Without resorting to such measure, the petitioner has sought for a reference to



the pending suit in the encumbrance certificate. This request cannot be countenanced. Therefore, by leaving it open to the petitioner to initiate appropriate action in the pending suit, the writ petition stands disposed of. There will be no order as to costs.

04-12-2025

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

1. The Inspector General of Registration, Chennai.
2. The District Registrar,
Tindivanam District Registration Office, Tindivanam.
3. The Sub-Registrar, Sub-Registrar Office, Marakkanam, Villupuram District.
4. The Thasildar, Taluk Office, Marakkanam.

SENTHILKUMAR RAMAMOORTHY, J.

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