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WP No. 45451 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 45451 of 2025

E.Vijaya Eswarappan

..Petitioner

Vs

1. The Sub Registrar,
Sub Registrar Office,
Periamet, Chennai - 600 003.

2. The State Bank of India,
Rep by their Branch Manager,
Periamet Branch, Chennai-600 003.

..Respondents

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to consider and dispose of the petitioner's representation dated 14.10.2025 and to take appropriate steps to remove the entry of attachment recorded under Doc.No.21/2001 in respect of the petitioner's property situated in S.F.No.534, Naval Hospital Road, Vepery, Chennai, in view of the order dated 29.01.2003 passed by the Debts Recovery Tribunal-II, Chennai in T.A Nos.143 and 145 of 2001.

For Petitioner : Ms.Gunasri, M.P.

For Respondents : Mr.Dominic S David,
Government's Counsel for R-1
Mr.K.Chandrasekaran for R-2

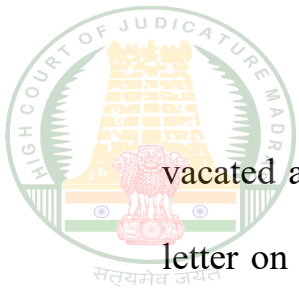
ORDER

This writ petition has been filed directing the first respondent to consider and dispose of the petitioner's representation dated 14.10.2025 and to take appropriate steps to remove the entry of attachment recorded under



Doc.No.21/2001 in respect of the petitioner's property situated in S.F.No.534, Naval Hospital Road, Vepery, Chennai, in view of the order dated 29.01.2003 passed by the Debts Recovery Tribunal-II, Chennai in T.A Nos.143 and 145 of 2001.

2. Learned counsel for the petitioner submitted that the petitioner's husband was carrying on business in the name and style of M/s.Eswarappa Metal Works by availing credit facilities from the second respondent Bank and the petitioner stood as a guarantor for the said loan. Due to non-payment of loan because of loss in business which resulted in initiation of recovery proceedings before the Civil Court and in the year 2001 the said civil suit was transferred on the constitution of Debts Recovery Tribunal-II, Chennai and numbered as T.A.Nos.143/2001 (Old T.A.No.809/1997) and T.A.No.145 of 2001 (Old T.A.No.937 of 1997) before the Debts Recovery Tribunal-II, Chennai. During the pendency of the said proceedings, the property of the petitioner in S.F.No.534, Naval Hospital Road, Vepery, Chennai, was attached before judgment by order dated 02.06.2000 in I.A.No.1773 of 2000 in T.A.No.934 of 1997 which reflects in the encumbrance register. Subsequently, the said transfer applications were disposed of on 29.01.2003 on the basis of a compromise entered between the petitioner's husband and the second respondent Bank recording that a total sum of Rs.29,84,304/ was paid in full and final settlement of the dues and the attachment over the property stood



vacated and raised. Thereafter, the second respondent Bank had also issued a letter on 07.11.2002 acknowledging the full and final settlement of dues from the petitioner's husband by way of compromise. The Debts Recovery Tribunal-II, Chennai also directed the second respondent Bank to return the original title deeds and to remove the attachment made over the petitioner's property. Thereafter, the petitioner has been in peaceful possession and enjoyment of the property. When she intended to sell the property, she came to know that the entry of attachment under Doc.No.21 of 2001 continues to reflect in the encumbrance certificate. Therefore, she made several representations to the first respondent to remove the said entry. However, the said representations were not considered, as on date. Hence, this writ petition.

3. Mr.Dominic S David, learned Government's Counsel appearing for the first respondent submitted that the entry of attachment recorded under Doc.No.21 of 2001 in respect of the petitioner's property situated in S.F.No.534 cannot be removed. However, the registration of the order dated 29.01.2003 passed by the Debts Recovery Tribunal-II, Chennai in T.A.Nos.143/2001 and 145/2001 can be recorded in the respective books of the first respondent so that it would neutralize the entries made with regard to the attachment recorded under Doc.No.21 of 2001 in respect of the petitioner's property.

4. Heard the learned counsel on either side and perused the materials



available on record.

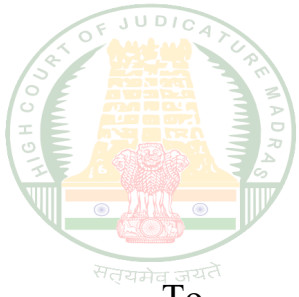
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5. Considering the submissions of the learned counsel for the petitioner and the learned Government Counsel appearing for the first respondent, this Court is of the view that the entry of attachment against the petitioner's property cannot be removed, however, by making suitable entries in the relevant books of the first respondent that the matter was amicably settled between the petitioner's husband and the first respondent Bank by way of compromise would neutralize the earlier order of attachment passed by the Debts Recovery Tribunal-II, Chennai on 02.06.2000 in I.A.No.1773 of 2000 in T.A.No.934 of 1997. Such being the case, this Court directs the petitioner to present that certified copy of the order dated 29.01.2003 passed by the Debts Recovery Tribunal-II, Chennai in T.A.Nos.143/2001 and 145/2001 before the first respondent forthwith. Upon presentation of the said order, the first respondent is directed to make suitable entries in the relevant books, by considering the representation of the petitioner dated 14.10.2025, within a period of one week thereafter.

6. With the above direction, this Writ Petition stands disposed of. No costs.

22-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
SRM



To
WEB COPY

1. The Sub Registrar,
Sub Registrar Office,
Periamet, Chennai - 600 003.
2. The Branch Manager
State Bank of India
Periamet Branch, Chennai-600 003.



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KRISHNAN RAMASAMY, J.

SRM

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