



WEB COPY

WP No. 13275 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 13275 of 2026

M/s.Cholamandalam Investment and Finance
company ltd
Rep by its authorised officer,
Mr.Ashok kumar Chola crest

..Petitioner(s)

Vs

1. Inspector General of Registration
Government of Tamilnadu
Santhome High Road
chennai-600 004

2. The Sub Registrar
Sub Registrar office
2/92,SH 49, Kazura Garden
Neelankarai,
chennai
Tamilnadu-600 115

3. Jeevan Kumar.K

..Respondent(s)

calling for the records of the entire proceedings culminating in the impugned Refusal check slip dated 30.1.2026 bearing No.RFL/Neelankarai/3/2026 issued by the 2nd respondent quash the same and consequently direct the 2nd respondent to forthwith register the Sale certificate dated 8.1.2025 executed by the petitioner in favour of the 3rd respondent within a stipulated time frame.



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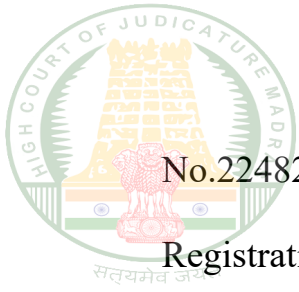
For Petitioner(s): Mr.Kishore Balasubramanian
For Respondent(s): Mr.P.Harish
Govt Advocate
For R1 & R2
R3 -Pvt

Order

This Writ Petition has been filed, challenging the impugned refusal check slip dated 30.01.2026 issued by the second respondent refusing to register the sale certificate dated 08.01.2025 presented by the petitioner for registration on the ground that there is a court attachment over the very same property, which is the subject matter of the sale certificate.

2. The petitioner has challenged the impugned refusal check slip on the ground that it has been issued by total non-application of mind to the settled law, which is also confirmed by the 1st respondent's own circular No.22482/C1/2022, dated 12.07.2024 that when a sale certificate is issued under the SARFAESI Act, it is well settled that any attachment existing will have no significance and on that ground, the registering officer cannot refuse to register the sale certificate.

3. Mr.P.Harish, learned Government Advocate, accepts notice on behalf of respondents 1 and 2. He does not dispute the issuance of the circular



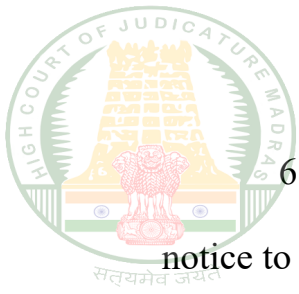
No.22482/C1/2022, dated 12.07.2024 by the office of the Inspector General of Registration, Chennai – 28.

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4. The relevant portion of the circular, which supports the case of the petitioner is reproduced hereunder:-

“f) Hon’ble High Court in W.P.No.11056/2024 has observed that attachment made by some department and when the sale certificate is issued under SARFAESI Act, 2002, it is well settled that any attachment existing will have no significance and on that ground the registering officer cannot refuse to register the sale certificate.”

5. As seen from the above mentioned circular issued by the Inspector General of Registration, it is clear that the second respondent cannot refuse registration of the sale certificate issued under the SARFAESI Act even if there is any attachment existing over the property. The said circular is also issued only by following the directions issued by this Court in W.P.No.11056 of 2024. In view of the same, necessarily, the second respondent will have to register the sale certificate presented by the petitioner for registration. By total non-application of mind to the circular issued by the Inspector General of Registration as well as to the settled law, the second respondent has issued the impugned refusal check slip, dated 30.01.2026 refusing to register the sale certificate presented by the petitioner for registration.



6. Since no adverse order is being passed against the third respondent, notice to the third respondent is dispensed with by this court.

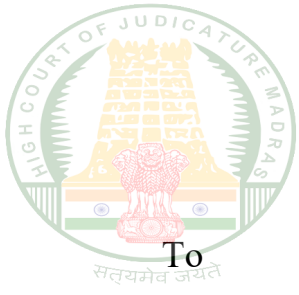
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7. Since the impugned order is arbitrary and not in accordance with law, the impugned refusal check slip, dated 30.01.2026 issued by the second respondent is hereby quashed and this Writ Petition is allowed by directing the second respondent to register the sale certificate dated 30.01.2026 executed by the petitioner bank in favour of the third respondent, if the same is otherwise in order, within a period of two (2) weeks from the date of receipt of a copy of this order. No costs.

08-04-2026

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

VGA



To

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Government of Tamilnadu
Santhome High Road
chennai-600 004
2. The Sub Registrar
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2/92,SH 49, Kazura Garden
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ABDUL QUDDHOSE J.

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