



CIRCULAR

Sub: High Court, Madras - Order dated 03.07.2024 passed in Writ Appeal No.1786 of 2024 and CMP No.12840 of 2024 - Directed the Judicial officers, manning Civil Courts, the ensurer that orders, raising attachment or orders dismissing suits in which an order of attachment has been granted are properly communicated to the registering officers without fail – Circular issued.

Ref: High Court's Order dated 03.07.2024 passed in Writ Appeal No.1786 of 2024 and CMP No.12840 of 2024.

It is hereby informed that Rule 11 B of Order 38 of the Code of Civil Procedure, 1908, as introduced by the Madras High Court specifically provides that orders granting or raising attachment should be communicated to the Registering officer within whose jurisdiction the property subject matter of the attachment is situate. However, the order raising the attachment or disposal of the suits are not communicated to the concerned registering officer which resulted, the Registrars refusing to register instruments citing the existence of the entry relating to attachment only in the encumbrance certificate.

Hence, all the Judicial Officers, manning Civil Courts , the ensurer are hereby directed to ensure that raising attachment or orders dismissing suits in which an order of attachment has been granted are properly communicated to the Registering Officers without fail *as per Rule 11B of Order 38 of the Code of Civil Procedure 1908.*

HIGH COURT, MADRAS

DATED: .08.2024


REGISTRAR GENERAL

To

1. All the Principal District Judges/District Judges in the State of Tamil Nadu. } With a request }to communicate
2. The Principal Judge, City Civil Court, Chennai. }the Circular to all }the
3. The Chief Judge, Court of Small Causes, Chennai. }Courts/Tribunals }under your
4. The Chief Judge, Puducherry. }Jurisdiction.
5. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris.
6. The Director, Tamil Nadu State Judicial Academy, R.A.Puram, Chennai-28. (with a request to communicate to the Regional Centres, at Madurai and Coimbatore).
7. The Member Secretary, Tamil Nadu State Legal Services Authority, Chennai.
8. The Court Manager, High Court, Madras (with a request to communicate the Circular to all the Court Managers in Tamil Nadu and Puducherry, through e-mode.)
9. The Section Officer, "F" Section, Madurai Bench of the Madras High Court, Madurai.
10. The Record Keeper, A.D.Records, High Court, Madras & Madurai Bench of the Madras High Court, Madurai.