



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.NO.13431/2021

[Video Conferencing]

V.Gunasekar

... Petitioner

Versus

The Sub Registrar,
Udumalpet Sub Registrar Office,
Udumalpet.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent to release the sale deed dated 20.12.2010 and registered as Document No.245/2010 in respect of the property to an extent of 1.25.0 Hectares in SF.No.183/C1B and SF.No.185/B1 to an extent of 0.06.0 Pukkulam Village, Udumalpet by considering the petitioner representation dated 05.05.2021.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : Mr.Yogesh Kannadasan
Government Advocate

ORDER

1. The petitioner claims to have purchased lands measuring an extent of 1.25.0 Hectares in SF.No.245/C1B and an extent of 0.06.0 Hectares in SF.No.185/B1 along with the building in Pukkulam Village, Udumalpet, lands bearing patta No.696.

2. The petitioner claims to have parted with consideration of Rs.36 Lakhs. He also claims that he had purchased the said lands on 20.12.2010. He had also presented the said Sale Deed for registration before the respondent, viz., the Sub Registrar, Udumalpet Sub Registrar Office, at Udumalpet. It is claimed that the respondent kept the document pending in Pending



Doc.No.245/2010. Thereafter, there is no record to show that the petitioner actually gave any representation in the interregnum period of ten years, except the averment that he kept going to the office of the respondent, questioning the respondent about the registration of the said document and receiving a reply in the negative.

3. In the meanwhile, on 01.07.2014, after nearly about four years, by way of an order dated 17.07.2014, in O.C.No.237/2013, an Adjudicating Authority, under the provisions of Prevention of Money Laundering Act, 2002, at New Delhi, had, with respect to the very same property, passed orders of attachment of the said property. The complainant in the said proceedings was the Joint Director, Directorate of Enforcement under the Prevention of Money Laundering Act, 2002. The opposite party was M/s.Pamba Spinning Mills, represented by the Proprietor G.Srinivasan. The said G.Srinivasan was the vendor of the property which the petitioner claims that he had purchased in the year 2010. The said property therefore, is now under attachment under an order passed by the competent authority under the Prevention of Money Laundering Act, 2002.

4. The petitioner had now come before this Court in the year 2021, after nearly more than 10 years after presenting the document for registration, basing this writ petition on a representation dated 05.05.2021.

5. I am afraid that orders cannot be passed based on such representation. The property has been lawfully attached by the competent authority by an order lawfully passed. If at all the petitioner has any grievance, then he will have to work out his grievance in accordance with law. But, it is not for the Court to grant a mandamus to register the property. The petitioner cannot be granted any relief.

6. In the result, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP



To

The Sub Registrar,
Udumalpet Sub Registrar Office,
Udumalpet.

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+1cc to Mr.B.Kumarasamy, Advocate, S.R.No.39521
+1cc to the Government Pleader, S.R.No.40045

W.P.NO.13431/2021

PMK (CO)
PBS/02/09/2021