



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10185 of 2021

M/s.Sri Balaji Firm Partnership,
Rep. by its Managing Director,
Thiru SP.Palaniyappa Chettiar,
Son of RM.Subramanian Chettiar,
Door No.5, Karthick Complex,
Sekkalai Road, Karaikudi Taluk,
Sivagangai District.

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The District Registrar,
Registration Department,
Sivagangai District.

3.The District Revenue Officer,
Sivagangai
Sivagangai District.

... Respondents

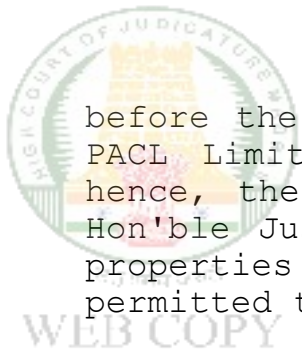
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to remove lands belonging to petitioner firm exclusively from the list annexed along with District Collector, Sivagangai, vide his proceedings in Na.Ka.Pi/16280/2016, dated 18.10.2016, by considering the petitioner representation, dated 18.01.2021, within the stipulated time fixed by this Court.

For Petitioner : Mr.VR.Shanmuganathan
For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the first respondent to consider the representation made by the petitioner, on 18.01.2021, wherein, the petitioner has requested the first respondent to remove the lands belonging to the petitioner from the list that was issued by the first respondent through proceedings, dated 18.10.2016.

2.The case of the petitioner is that they are the absolute owners of the subject property. It is stated that a case is pending



before the Hon'ble Supreme Court pertaining to a company called as PACL Limited, who have failed to repay back the depositors and hence, the Hon'ble Apex Court has appointed a Committee headed by Hon'ble Justice Lodha. This Committee has also given the list of properties to the first respondent and these properties are not permitted to be dealt with by any one.

3.The grievance of the petitioner is that the list that was given by the committee does not include the property belonging to the petitioner. However, the first respondent while issuing the proceedings, dated 18.10.2016, by mistake, has added the property belonging to the petitioner also. As a result of the same, the petitioner is not able to deal with the property. Therefore, the petitioner made a representation to the first respondent, on 18.01.2021, in this regard and requested the first respondent to remove the property belonging to the petitioner from the list that was prepared by the first respondent and issued as proceedings, on 18.10.2016. Since the same was not considered, the present writ petition has been filed before this Court seeking appropriate directions.

4.Heard Mr.VR.Shanmuganathan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Government Advocate, appearing for the respondents.

5.Taking into consideration the facts and the circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to consider the representation made by the petitioner, on 18.01.2021 and verify as to whether the property belonging to the petitioner also forms part of the list that was circulated by the Hon'ble Justice Lodha Committee. The representation shall be disposed of by the first respondent, within a period of four weeks from the date of receipt of a copy of this order.

6.The petitioner is directed to make a fresh representation to the first respondent along with all relevant documents and also a copy of this order.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar ()

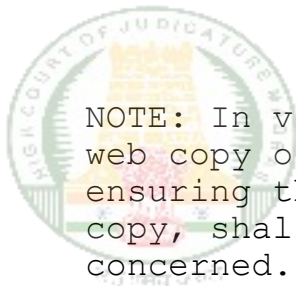
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/ /2021

Sub Assistant Registrar(CS)

TM

<https://hcservices.ecourts.gov.in/hcservices/>



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The District Registrar,
Registration Department,
Sivagangai District.
- 3.The District Revenue Officer,
Sivagangai
Sivagangai District.

+1 CC to M/s.SPL GP (SR-22090[F] dated 12/07/2021)

W.P. (MD) .No.10185 of 2021
09.07.2021

LS (CO)

LR (16.07.2021) 3P 5C