



WEB COPY



W.P. Nos.6597 and 6608 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. Nos.6597 and 6608 of 2023

and

W.M.P. Nos.6669, 6671, 6672, 6678, 6679 and 6680 of 2023

VGN Projects Estates Private Limited

Formerly known as VGN Property Developers Private Ltd.,

Represented by its Director,

Pratish Vedhappudi

... Petitioner in
both W.P.s

Vs

1. The Tahsildar,
Poonamalle Taluk,
No.5, Trunk Road,
Etiima Nagar,
Poonamallee,
Tiruvallur - 600 056.

2. The District Collector,
184/12G, State Highway 50,
Pungathur,
SP Nagar,
Thiruvallur - 602 001.

... 1st and 2nd respondents
in both W.P.s

3. The Sub Registrar,
Ambattur Sub - Registrar Office,
Union Office Complex,
Dunlop
Ambattur - 600 053.

... 3rd respondent
in

W.P. No.6608 of 2023



W.P. Nos.6597 and 6608 of 2023

4. E. Narayanan

5. Gajalakshmi Narayanan *

* R4 and R5 are impleaded vide
Order dated 28.03.2023 in
W.M.P. No.8926 of 2023.

4th & 5th
respondents in
W.P No.6608 of 2023

3. The Sub Registrar,
Kundrathur Sub - Registrar Office,
Sammandam Nagar Main Road,
Kundrathur,
Chennai - 600 069.

4. The Sub-Registrar
Poonamallee Sub Registrar Office,
No.120, Kancheepuram Main Road,
Poonamallee,
Chennai - 600 056.

5. The Sub - Registrar,
Avadi Sub-Registrar Office,
Avadi,
Chennai - 600 072.

6. The Sub- Registrar,
Tiruttani Sub - Registrar Office,
Tiruttani - 631 209.

7. The Sub - Registrar,
Tiruvallur Sub - Registrar Office,
184/12G, State Highway 50,
Pungathur,
SP Nagar,
Thiruvallur - 602 001.



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WEB COURT

8. The Sub - Registrar,
Uthukottai Sub-Registrar Office,
Uthukottai - 602 026.

9. The Sub - Registrar,
Pallipattu Sub-Registrar Office,
86, Sholingar Road,
Pallipattu - 631 207.

10. The Sub - Registrar,
R.K. Pet Sub-Registrar Office,
SH-108, R.K. Pet - Pallipet Road,
Thiruvallur - 631 303.

... 2nd to 10th
respondents in
W.P. No.6608 of 2023

11. E. Narayanan

12. Gajalakshmi Narayanan *

* R11 and R12 are Impleaded vide
Order dated 28.03.2023 in
W.M.P. No.8928 of 2023.

... 11th & 12th respondents
in W.P. No.6608 of 2023

Prayer in W.P. No.6597 of 2023

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records and quash the order in Original dated 26.12.2022 bearing number 1445/2022/A4, passed by Respondent No.1 insofar as it prohibits registration of documents submitted by the Petitioner Company.

Prayer in W.P. No.6608 of 2023

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records and quash the order dated 22.11.2022 bearing number 1445/2022/A4, passed by Respondent No.1 insofar as it prohibits registration of documents submitted by the Petitioner Company.



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For Petitioner in both W.P.s : Mr.Thriyambak J. Kannan
For Respondents in both W.P.s : Mr.K.M.D. Muhilan
Addl. Govt. Pleader
for R1 to R3

COMMON ORDER

Since, the issue involved in both writ petitions are one and the same, they are disposed of by a common order.

2. The case of the petitioner Company is that the respondents have filed a petition in C.C.P. No.348 of 2019 before the Tamil Nadu Real Estate Regulatory Authority, Chennai (for brevity, 'TNRERA'), seeking refund of the amount paid to their Company towards purchase of an apartment, with interest, compensation and cost. The learned Adjudicating Officer vide order dated 25.02.2021, allowed the said petition by directing the petitioner company to refund a sum of Rs.33,15,281/- along with interest at the rate of 10% per annum and also, directed the petitioner company to pay a sum of Rs.2,25,000/- as damages towards mental agony suffered and cost. Challenging the said order, the petitioner preferred an Appeal No.79 of 2021 before the Tamil Nadu Real Estate Appellate Tribunal (for brevity, 'TNREAT'), however, the said appeal came to be dismissed on 17.11.2021. Subsequently, the 1st respondent has passed the impugned orders on



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22.11.2022 and 26.12.2022 respectively. Aggrieved over the same, these writ petitions have been filed.

3. The learned counsel for the petitioner submits that the issue arisen in these writ petitions have already been seized by the Division Bench of this Court in CMSA No.72 of 2022 and therefore, these writ petitions may be closed.

4. In view of the fair submissions made by the learned counsel for the petitioner, these writ petitions are closed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law, based upon the orders that may be passed by the Division Bench of this Court. No costs. Consequently, connected miscellaneous petitions are closed.

28.03.2023

Note : Registry is directed to issue order copy after carrying out necessary amendments.

Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

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To

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