



W.P.(MD)Nos.4787 & 4814 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.4787 & 4814 of 2020

Sivanantham

... Petitioner in
W.P.(MD)No.4787 of 2020

Shahul Hameed

... Petitioner in
W.P.(MD)No.4814 of 2020

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai-600 028.

2. The Sub Registrar,
Kalayarkovil,
Sivagangai District.



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PRAYER in W.P(MD)No.4814 of 2020: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records of the 2nd respondent pertaining to the impugned Check slip No.2/2019, dated 30.10.2019 in respect of the property pertaining to Plot No.399 having an extent of 1040 sq ft in S.No.41/13A1A, Shaba Foundation Nagar, Ottanatham Village, Marathukanmai Group, Kalayarkovil, Sivagangai and quash the same and consequently direct the 2nd respondent herein to register the Sale deed, dated 20.09.2019 presented by the petitioner herein.

In both the Writ Petitions:

For Petitioners : M/s.S.Srinivasa Raghavan
P.Manonmani

For Respondents : Mr.A.K.Manikkam,
Special Government Pleader, for R-1 & R-2

Mr.A.David Oliver, for
Mr.G.Cenil, for R-3 & R-4

COMMON ORDER

Since the issue involved in these Writ Petitions are similar in nature both the writ petitions are taken up together and disposed of by a common order.



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2. W.P(MD)No.4787 of 2020 is filed for **Writ of Certiorarified Mandamus**, to quash the impugned Check slip No.3/2019, dated 05.12.2019 in respect of the property pertaining to Plot No.228 admeasuring 1470 square feet in S.No.40/1A, Shaba Foundation Nagar, Ottanatham Village, Marathukanmai Group, Kalayarkovil, Sivagangai with a consequential direction to the 2nd respondent to register the Sale deed, dated 15.12.2019 presented by the petitioner.

3. W.P(MD)No.4814 of 2020 is filed for **Writ of Certiorarified Mandamus**, to quash the impugned Check slip No.2/2019, dated 30.10.2019 in respect of the property pertaining to Plot No.399 admeasuring 1040 square feet in S.No.41/13A1A, Shaba Foundation Nagar, Ottanatham Village, Marathukanmai Group, Kalayarkovil, Sivagangai with a consequential direction to the 2nd respondent to register the Sale deed, dated 20.09.2019 presented by the petitioner.

4. Heard M/s.S.Srinivasa Raghavan and P.Manonmani, the Learned counsel appearing for the petitioners, Mr.A.K.Manikkam, the Learned Special Government Pleader appearing for the respondents 1 & 2,



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Mr.A.David Oliver, for Mr.G.Cenil, the Learned counsel appearing for the respondents 3 & 4, and perused the material documents available on record.

5. The contention of the petitioners is that they have purchased a Plots admeasuring 1470 square feet and 1040 square feet respectively, but the respondents 1 and 2 are refusing to register the sale deed. The reason cited is that the land belongs to the 4th respondent and the same is under the control of the 3rd respondent / the Official Liquidator.

6. This Court has issued notice to the Official Liquidator and the Official Liquidator submitted that the land belongs to the 4th respondent. A petition has been filed in C.P.No.73 of 2000 before the High Court of Judicature at Madras and the company is under liquidation. Therefore, the petitioners ought to approach the High Court of Judicature at Madras for any relief.



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7. Accordingly, the petitioners are directed to file appropriate petition in C.P.No.73 of 2000 and seek remedy. With the above said observations and directions, these writ petitions are disposed of. No costs.

Index : Yes / No
Internet : Yes
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26.09.2023



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To

1. The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai-600 028.
2. The Sub Registrar,
Kalayarkovil,
Sivagangai District.
3. The Official Liquidator,
High Court of Madras,
As the Provisional Liquidator of
M/s.Sterling Tree Magnum (India) Limited,
Corporate Bhavan, 2nd Floor,
29, Rajaji Salai,
Chennai -600 001.
4. M/s.Sterling Tree Magnum (India) Limited,
Corporate Bhavan, 2nd Floor,
29, Rajaji Salai,
Chennai-600 001



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S.SRIMATHY, J

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**Common Order made in
W.P.(MD)Nos.4787 & 4814 of 2020**

26.09.2023