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W.P.(MD)NO.7945 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7945 of 2022

R.Sanmugam

... Petitioner

Vs.

1. The District Registrar,
O/o.The District Registrar,
Thoothukudi District.

2. The Sub Registrar,
Ettayapuram Sub Registrar Office,
Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the remarks, the survey numbers in the documents pertains to PACL hence document registration is banned, made in the encumbrance certificate pertaining to survey No.43/3 in Aathikinaru Village, Ettayapuram Taluk, Thoothukudi District maintained on the file of the 2nd respondent in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

* * *



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ORDER

Heard both sides.

2. The petitioner asserts that he is holding 7 acres and 99 cents in survey No.43/3 in Aathikinaru Village, Ettayapuram Taluk, Thoothukudi District. He wants to settle the same in favour of his son Subramanian. When the document was presented, the second respondent informed the petitioner that the registration cannot be done because it has been banned by the Hon'ble Apex Court on the ground that the property has been classified as what is known as PACL property. PACL is a financial establishment which had committed default. Thousands of depositors had been put to loss on account of its dubious activities.

3. The Hon'ble Apex Court has therefore constituted a committee to take care the interest of the depositors. The said committee is headed by his Lordship HON'BLE MR.JUSTICE R.M.LODHA, former Chief Justice of India. It has been directed by the Hon'ble Apex Court that no transactions would



be permitted to be registered by the private parties in respect of the lands that are standing in the name of PACL. The second respondent has received the communication to the effect that the petition-mentioned survey number is also standing in the name of PACL. Therefore, he obviously cannot permit registration of any document. The only remedy the petitioner has is to go before the HON'BLE MR.JUSTICE R.M.LODHA committee or file a petition before the Supreme Court of India.

4. Granting such liberty to the petitioner to work out his rights in the manner known to law, this writ petition stands dismissed. No costs.

04.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The District Registrar,
O/o.The District Registrar, Thoothukudi District.
2. The Sub Registrar,
Ettayapuram Sub Registrar Office,
Thoothukudi District.



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4

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G.R.SWAMINATHAN,J.

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