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W.P.Nos.8633, 20670, 20676, 20677, 20679, 20684 & 20686 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.Nos.8633, 20670, 20676, 20677, 20679, 20684 & 20686 of 2023

A.C. Ramesh	Petitioner in W.P.No.8633/2023
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1. S. Baskar 2. B. Dhanapathy 3. Krishnakumar	Petitioners in W.P.No.20676/2023
Shanthi	Petitioner in W.P. No.20677/2023
D. Parthasarathy	Petitioner in W.P.No.20679/2023
1. K. Diwakaran 2 J. Murugan	Petitioners in W.P.No.20684/2023
K. Lenin	Petitioner in W.P. No.20686/2023
The Sub-Registrar Arakonam	Vs. Respondent in all WPs.

Prayer in W.P. No.8633 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records and quash the refusal check slip dated 04.01.2023 issued by the respondent in his proceedings RFL/Arakonam/Book 2/1 as arbitrary, unreasonable, violative of



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rules and principles of natural justice and consequently, direct the respondent to register the document of sale deed dated 26.12.2022 executed by the petitioner to and in favour of A. Paulraj in respect of property situate in Arakonam Taluk, Kavanur Village, S.Nos.330,334,339 and 342/1A in Annai Theresa Nagar (Government Staff Residence) (D.T.C.P. No.02/2007), Plot No.32, Western 1,200 sq. ft. out of (111.6 sq. mtr.) relating to S.No.330(330/1A1A).

Prayer in W.P. No20670 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to register the document of sale deed or any other document presented for registration by the petitioner in respect of property situate in Arakonam Taluk, Kavanur Village, S.Nos.330,334,339 and 342/1A in Annai Theresa Nagar (Government Staff Residence) (DTCP No.02/2007), Pot Nos.22,23,24,25, 30,31,32 Part and 33.

Prayer in W.P. No.20676 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to register the document of sale deed or any other document presented for registration by the petitioners in respect of property situate in Arakonam Taluk, Kavanur Village, S.No.330 in Annai Theresa Nagar (Government Staff residence) (D.T.C.P. No.02/2007) Plot Nos.40, 41, 50, 51, 17, 38, 39, 52, 18, 19, 36, 37, 73, 74, 82, 83, 75, 76, 80, 81, 84, 85, 86, 87, 88, 89, 90 and 91.

Prayer in W.P. No.20677 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to register the document of sale deed or any other document presented for registration by the petitioner in respect of property situate in Arakonam Taluk, Kavanur Village,



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S.Nos.330,334,339 and 342/1A in Annai Therasa Nagar (Government Staff Residence) (D.T.C.P. No.02/2007), Plot Nos.168 to 170.

Prayer in W.P. No.20679 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to register the document of sale deed or any other document presented for registration by the petitioner in respect of property situate in Arakonam Taluk, Kavanur Village, S. Nos.330,334,339 & 342/1A in Annai Therasa Nagar (Government Staff Residence) (D.T.C.P. No.02/2007), Plot Nos.161 to 164.

Prayer in W.P. No.20684 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to register the document of sale deed or any other document presented for registration by the petitioners in respect of property situate in Arakonam Taluk, Kavanur Village, S.No.330 in Annai Therasa Nagar (Government Staff residence) (D.T.C.P. No.02/2007) Plot Nos.42,43,48,49,44,45,46,47, 77,78,79,92,93, 94 and 95.

Prayer in W.P. No.20686 of 2023:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to register the document of sale deed or any other document presented for registration by the petitioner in respect of property situate in Arakonam Taluk, Kavanur Village, S.No.330,334,339 and 342/1A in Annai Therasa Nagar (Government Staff residence) (D.T.C.P. No.02/2007) Plot Nos.165 to 167.

For Petitioners in all WPs	Mr. D. Baskar
For Respondent in all WPs	Mr. J. Ravindran, Addl. Advocate General Assisted by Mr. Yogesh Kannadasan Special Government Pleader



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COMMON ORDER

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With the consent of both sides, these writ petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions have been filed for a direction to the respondent to register the Sale Deeds presented by the petitioners for registration, in respect of the subject properties.

3. Heard learned counsel for the petitioners and the learned Additional Advocate General appearing for the respondents and perused the materials available on record.

4. According to the writ petitioners, they purchased the subject properties between 2016 and 2017 under various Sale Deeds, whereas, the interim order of attachment has been passed only on 15.06.2018 and thereafter, final order has been passed on 08.06.2019 in Arbitration Case No.55 of 2018. The main ground raised by the petitioners in these writ petitions is that the attachment does not relate to the writ petitioners. Hence, they filed these writ petitions seeking the aforesaid relief.



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5. On perusal of the attachment proceedings, it is clear that the dispute is with regard to the payment of two of the financiers. In the proceedings recorded by the learned Arbitrator in para 57 of the said Award, it is stated that the issue between the claimant therein and one Lenin Pandian, has been settled and that was not the issue before the learned Arbitrator and the dispute raised is only by the other two financiers.

6. In such view of the matter, when the subject properties were already transferred in the name of the petitioners during the years 2016 and 2017, much prior to the attachment order passed by the learned Arbitrator, such attachment does not bind on the subject properties, which is also not the subject matter of arbitration proceedings.

7. Hence, the respondent is directed to register the documents presented by the writ petitioners, within a period of ten days from the date of receipt of a copy of this order.

With the above direction, these writ petitions are disposed of. No costs.

11.06.2024

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Neutral Citation : Yes/No



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To
The Sub-Registrar
Arakonam



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N.SATHISH KUMAR, J.

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