



WP.Nos.15007 and 15009 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.Nos.15007 and 15009 of 2024
and W.M.P.Nos.16307 and 16310 of 2024

K.Jamila Kingsley

.. Petitioner in both W.Ps

Versus

1.The Sub Registrar,
Office of the Sub Registrar,
Annur, Coimbatore 641 653

2.The Assistant Registrar,
Office of the Joint Director,
Directorate of Enforcement,
Chennai Zonal Office,
No.84, Greaves Road,
Chennai 60006.

.. Respondents in both W.P.s

Common Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Refusal Check Slip issued by the first respondent in RFL/Annur/40/2024 dated 24.04.2024 and RFL/Annur/41/2024 dated 24.04.2024 and to quash the same and to direct the 1st respondent to receive and register the sale deed dated 24.04.2024 executed by the petitioner in favour of Mrs.Nanita Rebecca, wife of Mr.Ruben and in favour of Mrs.Priyadarshini wife of Mr.Sampathkumar respectively.

For Petitioner in both W.Ps : Mr.AE Ravichandran

For Respondents in both W.Ps : Mr.B.Vijay for R1
Additional Government Pleader



WEB COPY



WP.Nos.15007 and 15009 of 2024

Mr.Cibi Vishu for R2
Special Public Prosecutor
for Directorate of Enforcement

COMMON ORDER

These writ petitions are filed to call for the records pertaining to the Refusal Check Slip issued by the first respondent in RFL/Annur/40/2024 dated 24.04.2024 and RFL/Annur/41/2024 dated 24.04.2024 and to quash the same and to direct the 1st respondent to receive and register the sale deed dated 24.04.2024 executed by the petitioner in favour of Mrs.Nanita Rebecca, wife of Mr.Ruben and in favour of Mrs.Priyadarshini wife of Mr.Sampathkumar respectively.

2.The issue involved in these writ petitions are one and the same. Therefore, this Court is inclined to pass a common order.

3.The case of the petitioner is that she is the absolute owner of the properties situated in Survey No.51/3, 51/4 Part 51/5 by virtue of sale deed dated 12.01.2006 and 13.02.2006 respectively. The petitioner had purchased the total extent of 5.37 acres and she sold 14 cents to third party on 10.04.2006. She developed the remaining extent of 5.23 acres by converting



WP.Nos.15007 and 15009 of 2024

the same into farmland and sold to various extents of farmland in the year

2016 to various third parties. Out of remaining extent of farm land, the petitioner executed two sale deed one dated 24.04.2024 in favour of Mrs.Nanita Rebecca in respect of an extent of 31 cents comprised in Survey No.51/4A and another deed dated 24.04.2024 in favour of one S.Priyadarshini in respect of an extent of 26.05 cents comprised in Survey No.51/3A Part and 51/3B1. When the documents were presented for registration, the same has been refused by stating that the registration cannot be done in view of the letter dated 13.07.2016 said to have been issued by the 2nd respondent/Office of the Joint Director, Directorate of Enforcement. Challenging the same, the present writ petitions have been filed.

4. Mr.Cibi vishnu, learned Special Public Prosecutor appearing for the 2nd respondent, on instructions, would submit that the property of the petitioner is not subject matter of any attachment and as per the letter dated 13.07.2016 in F.No.ECIR/04/CEZO/PMLA/2011(VSK), an extent of 5.23 acres comprised in S.No.51/3 part (0.26 acres), S.No.51/4 and 51/5 part (3.39 acres) and S.No.52 (1.58 acres) situated at Kaduvettipalayam Village, Karumathampattu, Palladam Taluk and an extent of 26.28 acres comprised in S.No.51, 51/3,51/4,51/5,186/1 and 187/2 situated in the same village is not



WP.Nos.15007 and 15009 of 2024

subject matter of attachment and what was attached is only to an extent of 4.70 acres comprised in S.No.51, 51/5 and 51/6 which belongs to the petitioner's husband. Hence, the 2nd respondent has no objection for registering the petitioner's document.

5. Considering the said submission of the 2nd respondent as there is no attachment in respect of the subject matter, the impugned orders in the Refusal Check Slip in RFL/Annur/40/2024 and Refusal Check Slip in RFL/Annur/41/2024 dated 24.04.2024 issued by the first respondent are set aside. The first respondent is directed to register the petitioner's sale deed dated 24.04.2024 in favour of Mrs.Nanita Rebecca, wife of Mr.Ruben and in favour of Mrs.Priyadarshini wife of Mr.Sampathkumar within a period of one(1) week from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petitions are allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

18.07.2024

msv

Index :Yes/No
Internet :Yes/No

<https://www.mhc.tn.gov.in/judis>



WP.Nos.15007 and 15009 of 2024

Neutral Citation : Yes/No

WEB COPY

To,

1.The Sub Registrar,
Office of the Sub Registrar,
Annur, Coimbatore 641 653

2.The Assistant Registrar,
Office of the Joint Director,
Directorate of Enforcement,
Chennai Zonal Office,
No.84, Greaves Road,
Chennai 60006.



WEB COPY



WP.Nos.15007 and 15009 of 2024

N. SATHISH KUMAR, J.

msv

WP.Nos.15007 and 15009 of 2024
and W.M.P.Nos.16307 and 16310 of 2024

18.07.2024