



W.P.(MD)No.17024 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.17024 of 2023

K.Madasamy

... Petitioner

Vs.

1.The District Collector,
Tuticorin District.

2.The District Registrar of Registration,
(Administration),
Tuticorin District.

3.The Sub Registrar,
Ottapidaram,
Tuticorn District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the third respondent herein to remove the entries in the encumbrance register in respect of entry dated 18.07.2022 in respect of property Survey No.622 and Survey No.624/2 situated at Savarimangalam Village, Ottapidaram Taluk, Tuticorin District on the basis of order passed by the learned District Judge (Retired) in the matter of PACL limited dated 08.02.2022 by this Court.



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For Petitioner : Mr.C.Jeganathan
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed seeking for issuance of writ of mandamus directing the third respondent herein to remove the entries made in the encumbrance register dated 18.07.2022 in respect of property in Survey Nos.622 and 624/2 situated at Savarimangalam Village, Ottapidaram Taluk, Tuticorin District, on the basis of order passed by the learned District Judge (Retired) in the matter of PACL limited dated 08.02.2022.

2. It is the case of the petitioner that he has already filed an application before the District Judge in the matter of PACL limited. The petitioner's objection petition has been accepted. Hence, seeks direction.

3.This Court is of the view that once finding has been recorded by the learned District Judge appointed by the Hon'ble Supreme Court in the matter of PACL, it is for the petitioner to file an appropriate interim



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application along with order of the District Judge in the matter of PACL and get the necessary order from the Hon'ble Supreme Court, if there is any attachment. Whenever attachment is raised by the concerned District Judge, in normal practice, the procedure to be followed is to get an order from the Hon'ble Supreme Court to raise the attachment. Therefore, if the petitioner is so advised, he shall follow the said procedure. However, this Court cannot at this stage, pass any order directing the Sub Registrar to consider the objection submitted by the petitioner.

4. With the above observation, this Writ Petition is disposed of. No costs.

17.10.2024

Index : Yes / No
NCC : Yes / No
Rmk

To

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3. The Sub Registrar,
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N.SATHISH KUMAR, J.

Rmk



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