



W.P.(MD) No.733 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.733 of 2018

V.Jayaraman

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Dindigul.

2.The Sub Registrar,
Nathdam,
Dindigul.

3.The Sub Registrar,
Pandalgkudi,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to receive and register the Power of Attorney dated 17.10.2016 in pending Document No.73 of 2016 in respect of agriculture land in survey Nos.132/1, 261/2, 262/4 situated at Pappakudi Village, Sattur Taluk, Virudhunagar and consequently release the same.



W.P.(MD) No.733 of 2018

WEB COPY

For petitioner : No appearance
For respondents : Mrs.D.Farjana Ghoushia
Additional Government Pleader

ORDER

There is no representation on behalf of the petitioner. This Writ Petitioner has been filed for the following relief:

“To direct the respondents to receive and register the Power of Attorney dated 17.10.2016 in pending Document No.73 of 2016 in respect of agriculture land in survey Nos.132/1, 261/2, 262/4 situated at Pappakudi Village, Sattur Taluk, Virudhunagar and consequently release the same”

2. Arguing the case on behalf of the third respondent, the learned Additional Government Pleader for the respondents has drawn an attention to the para No.4 of the counter, which reads as under:

“4.It is submitted that, one of the three impugned properties mentioned in the said document namely S.No.262/4 of Pappakudy village, Sattur Taluk is included in the list of properties belonging to M/s.PACC Ltd which is under the control of the committee constituted by SEBI in compliance with the order dated 02.02.2016 passed by the Hon’ble Supreme Court of India under the Chairmanship of Justice (Retd.) R.M.Lodha Former Chief Justice



W.P.(MD) No.733 of 2018

WEB COPY

of India in the matter of PACL ltd and others connected matter. The impugned property is one among 2023 properties impounded by the justice Lodha committee and the committee alone is authorities to sell properties of PACL Ltd. It is further submitted that Hon'ble Mr.Justice (Retd.) R.M.Lodha committee (in the matter of PACL Ltd) in its order No.403/16-17 dated 25.08.2016 has requested the District Collector, Virudhunagar District to take necessary steps for not to effect the Registration/mutation/Sale etc. of the said properties. Accordingly the District Collector, Virudhunagar in his Na.Ka.C4/26834/2016 dated 13.09.2016 has requested the District Registrar, Registration Department, Virudhunagar District not to register any document in this manner."

3. The learned Additional Government Pleader for the third respondent by pointing out para 6 in the counter, submits that the said Power of Attorney has also been returned to the petitioner. Relevant portion reads as under:

"6.It is submitted that the above said facts was intimated to the 2nd respondent vide this office Na.Ka.No.M2021/2016 dated 25.10.2016. Subsequently the said pending document was returned to the petitioner based on the written request from the petitioner herein on 16.05.2017 under proper acknowledgment. After having received the said document, the petitioner has filed this writ petition again praying to direct the respondents to receive and register the said returned power of attorney document, which is not maintainable either in law or on facts and liable to be dismissed as devoid of merits."



W.P.(MD) No.733 of 2018

WEB COPY

4. In view of the same, I see no merits in this Writ Petition and therefore, liable to be dismissed.

Accordingly, this Writ Petition is dismissed. No costs.

Index : Yes / No

28.06.2024

Internet : Yes / No

apd

To

1.The District Registrar,
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Nathdam,
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3.The Sub Registrar,
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WEB COPY



W.P.(MD) No.733 of 2018

C.SARAVANAN, J.

apd

W.P.(MD) No.733 of 2018

28.06.2024