



W.P.(MD)Nos.24184 of 2018 7 etc., batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

**W.P.(MD)Nos.24184/2018, 810/2019, 4872/2019, 10379/2021,
23528 to 23530/2022, 24576/2022, 24561/2022, 4763/2023, 9641/2023,
16481/2023, 23122/2023, 23594 to 23596/2023, 23123 to 23129/2023,
23668/2023, 20314/2024, 20891/2024 and 22246/2024
and connected miscellaneous petitions**

W.P.(MD)Nos.24184 of 2018

A.Ganesan

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub-Registrar,
Sattur Sub-Registrar Office,
Sattur, Virudhunagar District.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Certiorarified Mandamus, by calling for the records pertaining to the impugned proceedings in Check Slip No.3/2018 dated 11.07.2018 passed by the 2nd respondent and quash the same as illegal, invalid and against the documentary evidence and consequentially direct the 2nd respondent to register the deed submitted by the petitioner dated 11.07.2018.



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For Petitioner : Mr.N.Sundareshan
For Respondents : Mr.P.Subbaraj,
Spl. Govt. Pleader
Mr.Ve.M.Shivakumar
for Mr.M.P.Senthil for Nodal Officer

COMMON ORDER

Since the issue in all these Writ Petitions pertain to PACL, all these Writ Petitions are disposed of by this common order.

2. Heard the respective learned counsel appearing for the petitioners, the respective learned Special Government Pleader and the learned Additional Government Pleader appearing for the official respondents, the respective learned counsel appearing for the private respondents and the learned counsel appearing for the Nodal Officer, SEBI.

3. The learned counsel appearing for the Nodal Officer submitted that the issue is pending before the Hon'ble Supreme Court and the Hon'ble Supreme Court has appointed a Committee headed by the Hon'ble Mr.Justice R.M.Lodha, former Chief Justice of India. He further submitted that on the basis of the report given by the said Committee, an order has been passed by the Hon'ble Supreme



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Court attaching the properties owned by the PACL Company. He further submitted that the Hon'ble Supreme Court has also passed an order restraining all the Courts in India from entertaining any claims involving PACL properties. The said order has been passed on **02.05.2016** in ***Civil Appeal No.13301/2015 [Subrata Bhattacharya Vs. Securities And Exchange Board of India and Ors.]***. On 27.09.2017, the Hon'ble Justice (Retd.) R.M.Lodha Committee, has constituted a committee headed by R.S.Virk, District Judge (Retd.) to hear the objections/representations against the attachment of various properties belonging to the PACL.

4. Considering all these facts and circumstances of the cases, this Court is of the view that as the issue in all these Writ Petitions pertain to PACL properties and the Hon'ble Supreme Court has also passed a restraint order from entertaining any claims involving PACL properties, all the Writ Petitioners have to present their objections/representations before the Hon'ble Justice (Retd.) R.M.Lodha Committee.

5. Though it is the submissions of the learned counsel appearing for some of the Writ Petitioners that there was no entry in the Encumbrance Certificate and further, they are also not aware of the nature of the documents held



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by the PACL, this Court is of the view that the Writ Petitioners can place their grievances before the Hon'ble Justice (Retd.) R.M.Lodha Committee, which was constituted in this regard. On the basis of the said objections/representations, the Committee may decide the objections of the Writ Petitioners in respect of the immovable property and pass necessary orders.

6. In view of the above, all the Writ Petitioners are directed to file their necessary applications or objections before the Hon'ble Justice (Retd.) R.M.Lodha Committee and thereafter, they can seek to raise an attachment, on the basis of the finding given by the said Committee. The Hon'ble Committee may expedite the hearing of the matters and give its finding at the earliest, since several Writ Petitions have been filed.

7. With the above directions, these Writ Petitions are disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

15.10.2024

NCC : Yes/No
Index : Yes/No

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Virudhunagar District,
Virudhunagar.
 - 2.The Sub-Registrar,
Sattur Sub-Registrar Office,
Sattur, Virudhunagar District.
 - 3.The Hon'ble Justice (Retd.) R.M.Lodha Committee,
SEBI Bhavan, BKC, Plot No. C4-A, 'G' Block,
Bandra-Kurla Complex, Bandra (East),
Mumbai – 400051.



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N.SATHISH KUMAR, J.

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