



W.P(MD)No.24170 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.24170 of 2024

and

W.M.P.(MD)No.20438 of 2024

S.Kannan Karuppasamy

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Tirunelveli District.

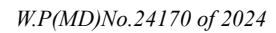
2.The Sub Registrar of Registration,
Office of the Sub Registrar,
Gangaikondan, Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned check slip dated 24.09.2024 bearing RFL/Gangaikondan/83/2024 issued by the 2nd respondent herein and quash the same and with a consequential direction, directing the 2nd respondent to register the sale deed dated 24.09.2024 presented by the petitioner and return the same to him.

For Petitioner : Mrs.K.Porkodikarnan,
for M/s.Polax Legal Solutions

For Respondents : Mr.C.Satheesh,
Government Advocate



The issue involved in this Writ Petition is already decided by this Court vide order dated 15.10.2024 made in W.P.(MD)Nos.24184/2018, etc., batch cases, where this Court has passed the following 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 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 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



W.P(MD)No.24170 of 2024

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.”

2.In view of the above terms, this Writ Petition is disposed of with a direction to the petitioner to file his necessary application or objection before the Hon'ble Justice (Retd.) R.M.Lodha Committee and thereafter, he 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. No costs. Consequently, connected miscellaneous petition is closed.

16.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

1.The District Registrar,
Registration Department,
Tirunelveli District.



W.P(MD)No.24170 of 2024

2.The Sub Registrar of Registration,
Office of the Sub Registrar,
Gangaikondan, Tirunelveli 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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W.P(MD)No.24170 of 2024

N.SATHISH KUMAR, J

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W.P(MD)No.24170 of 2024

16.10.2024