



W.P.(MD)No.31015 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.31015 of 2023
and W.M.P(MD)No.6227 of 2024

S.Baskar

... Petitioner

/Vs./

1.The District Registrar,
Karur, Karur District.

2.The Sub Registrar,
Velayuthempalayam,
Karur District.

3.The Inspector of Police,
Economic Offence Wing,
Karur, Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the second respondent made in RFL/ Velayuthampalayam/ 41/2023 dated 19.12.2023 and quash the same and consequently direct the second respondent to register the sale deed dated 18.12.2023 in respect of property comprised in S.No.493/4B and share in the Well at S.Nos.490 and 495 all are situated at Punjai Pugalur North Village, Pugalur Taluk, Karur District.



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For Petitioner : Mr.R.Murali

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the refusal check slip issued by the second respondent dated 19.12.2023 thereby refused to register the sale deed dated 18.12.2023, which was presented for registration.

2. The petitioner's vendors had purchased the property comprised in S.No.493/4B to an extent of 2 acres and 76.34 cents along with the share in the Well at S.Nos.490 and 495 situated at Punjai Pugalur North Village, Pugalur Taluk, Karur District by a registered sale deed dated 18.03.2022 vide doc.No.520 of 2022. The petitioner in turn purchased the said property and the petitioner's vendors had executed a sale deed on 18.12.2023 and presented the same for registration before the second respondent. However, the second respondent refused to register the same by issuing check slip on the ground that the third respondent submitted a letter to the second respondent in which it is alleged that the subject



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property was purchased by the petitioner's vendors from the crime proceeds in pursuant to the registration of the First Information Report in Crime No.1 of 2023 on the file of the Inspector of Police, Economic Offences Wing, Karur. Therefore, the second respondent objected to deal with the subject property.

3. The learned counsel for the petitioner would submit that mere letter sent by the third respondent would not prevent the second respondent from registering the sale deed, which was presented for registration. That apart, the petitioner's vendors totally purchased a total extent of 2 acres and 76.34 cents for which the petitioner's vendors had valid title. In support of his contention, the learned counsel for the petitioner has relied upon the judgment of this Court in **2015 (0) Supreme (Mad) 2532 in V.Sundaram and Ors Vs. The Deputy Superintendent of Police Economic Offences & Wing and Ors).**

4. The learned Additional Government Pleader appearing for the respondents on instructions submitted that the subject property was purchased by the petitioner's vendors by a registered sale deed dated



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18.03.2022, at the relevant period in which crime was committed by the accused. The vendor and the petitioner are arrayed as A 6 and A10 in the criminal case. They have purchased the subject property from the crime proceeds. All the accused persons cheated more than Rs. 8 Crores from general public and they are facing the prosecution case under the TNPIC Act. That apart, the subject property was already identified by the third respondent and the third respondent had sent a proposal for attachment as per the provisions contemplated under the TNPID Act. Therefore, the third respondent submitted a detailed objection to the second respondent not to deal with the subject property. One of the victims also submitted that he was cheated by the accused persons by collecting huge money and the accused also cheated many depositors. They had purchased so many properties including the subject property, which was purchased by the petitioner.

5. In view of the above, it is clear that the subject property was involved in a crime. Therefore, it cannot be registered and as such, the second respondent rightly refused to register the sale deed, which was presented for registration. The judgment relied upon by the learned



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counsel for the petitioner is not applicable to the facts of the present case.

6. In the result, this Writ Petition is dismissed. No costs.

06.11.2024

Index : Yes / No
NCC : Yes / No
CM

TO:

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Karur District.

3.The Inspector of Police,
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G.K.ILANTHIRAIYAN, J.

CM

Order made in
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