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W.P.No.13155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.13155 of 2025

JAYAVEL

..Petitioner

Vs.

- 1 THE INSPECTOR GENERAL OF REGISTRATION,
NO. 100 SANTHOME ROAD, CHENNAI- 600 028.
- 2 THE SUB REGISTRAR
CHEYYAR JOINT II, CHEYYAR TALUK,
TIRUVANAMALAI DISTRICT.
- 3 UNION OF INDIA
THROUGH SERIOUS FRAUD INVESTIGATION OFFICE (SFIO)
MINISTRY OF CORPORATION AFFAIRS
REPRESENTED BY SENIOR DIRECTOR
SERIOUS FRAUD INVESTIGATION OFFICE
No.29, Rajaji Salai, Ground Floor, Corporate Bhawan,
Chennai – 600 001.

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to register the sale deed executed by the petitioner on 21.03.2025 by considering the registration booking slip in TP/214273824/2025 and



W.P.No.13155 of 2025

consequently, to direct the 1st and 2nd respondents to remove the remarks made in the book maintained by the 2nd respondent reflected in the Encumbrance certificate pursuant to the letter no.3581521/CA3/2022-23 dated 23.05.2023 issued by the 1st respondent in respect of the sale deed dated 03.07.2017 in Document no.1305/2017 in old survey no. 63/5, new survey no. 63/5A, 63/5A1, 63/5B and 63/5C measuring an extent of 5236 sqft situated at Keeizh Pudhupakam Village, Cheyyar Taluk, Tiruvanamalai District.

For Petitioner : Mr.M.Guruprasad for
Mr.Raja
For Respondents 1 & 2 : Mr.P.Harish
Government Advocate
For Respondent-3 : Mr.B.Mohan
Special Public Prosecutor

Order

The petitioner has filed this Writ Petition seeking for the following relief:-

i) For issuance of a mandamus to the 2nd respondent to register the sale deed executed by the petitioner on 21.03.2025 by considering the registration booking slip in TP/214273824/2025 and for other consequential relief, as described in the prayer portion of this order.

2. Mr.M.Guruprasad, learned counsel appearing for the petitioner



W.P.No.13155 of 2025

would submit that the subject property originally belongs to "M/s.Sakthi Steel Industries Pvt. Ltd., '(SSIPL); that they have sold the property to the petitioner's mother in the year 2019 and subsequently, the petitioner's mother has settled the same in favour of the petitioner by virtue of a Settlement Deed on 12.02.2020; that thereafter, the petitioner decided to sell the property in favour of one Nagaraj, hence, executed a sale deed dated 21.03.2025 in favour of said Nagaraj, but, when the same was presented for registration before the second respondent, the same was not entertained by the second respondent; that upon enquiry, the petitioner came to understand that the sale deed was not registered and was kept pending on the ground that that the subject property was purchased by SSIPL through public auction from and out of the funds stated to have siphoned from Surana Industries Ltd., against which Company, third respondent has filed a Company Petition before the National Company Law Tribunal (for short, NCLT); that the NCLT passed an interim order for attachment of the movable and immovable properties of Surana Industries Ltd., (under liquidation) and based on such proceedings, the first respondent issued a communication instructing the second respondent to prevent any further



W.P.No.13155 of 2025

documentation regarding the subject property.

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2.1 It is the contention of the learned counsel for the petitioner submit that at the time of passing of the interim order/general direction by the NCLT on 17.11.2022, the subject property no longer stands in the name of "M/s.Sakthi Steel Industries Pvt. Ltd.," as it was already sold to the petitioner's mother by SSIPL in the year 2019 itself and despite the same, the first and second respondents have overlooked the legitimate ownership of the petitioner and has kept the sale deed unregistered by making unnecessary remarks in the book maintained by the second respondent, which got reflected in the Encumbrance Certificate as well and that the first and second respondents have erroneously interpreted the general direction given by the NCLT and mechanically, made such remarks without properly verifying the exact facts as regards the petitioner's entitlement over the subject property. Thus, by averring so, the learned counsel prays for appropriate direction towards registration of the sale deed presented by the petitioner and for such other relief, as described in the prayer portion of this order.



W.P.No.13155 of 2025

WEB COPY 3. Mr.P.Harish, the learned Government Advocate for the respondents

1 and 2, Registration Department would submit that since the subject property was purchased by SSIPL from and out of the funds siphoned from Surana Industries Ltd.; that since proceedings are pending before NCLT against Surana Industries Ltd, (which is under liquidation) wherein, the NCLT has passed an interim order, restraining 88 entities of the said Company, from alienating both movable and immovable properties of the said Company, which includes SSIPL as well, viz., the vendor of the petitioner's mother, the first respondent has issued such a communication letter restraining the second respondent from registering any document in respect of the subject property and the same could not be found fault with.

4. Mr.B.Mohan, learned Special Public Prosecutor for the third respondent, Serious Fraud Investigation Office (SFIO) while reiterating the averments set out in the counter affidavit filed by the third respondent would submit that the Ministry of Corporation Affairs, Central Government vide letter dated 08.09.2022 has instructed the third respondent/SFIO to initiate



W.P.No.13155 of 2025

prosecution against Surana Industries Ltd., and 14 others and also their entities, who were all involved in fraud and money laundering and sought an order of freezing and attachment of the properties, pursuant to which, the third respondent/SFIO filed a Company Petition before NCLT, being C.P.No.125 of 2022, and the NCLT passed an interim order dated 17.11.2022, restraining the respondents 4 to 40 and 43 to 93 thereunder from alienating both movable and immovable properties of the Surana Industries Ltd., and other entities, which includes SSIPL, viz., the vendor of the petitioner's mother also (inasmuch as, SSIPL was alleged to have purchased the property, from and out of the funds alleged to have siphoned by Surana Industries Ltd.) hence, the third respondent has communicated the said interim order dated 17.11.2022 of the NCLT to the first respondent for taking appropriate action and to give effect to the orders of the NCLT; that, therefore, the first respondent instructed the second respondent, Sub Registrar from preventing any further documentation in relation to the subject property. Thus, it is submitted by the learned Special Public Prosecutor that by suppressing all the aforesad facts, the petitioner has filed this Writ Petition and therefore, prays for dismissal of the Writ Petition.



W.P.No.13155 of 2025

WEB COPY

5. Heard Mr.M.Guruprasad, learned counsel appearing for the petitioner, Mr.P.Harish, the learned Government Advocate for the respondents 1 and 2, Registration Department and Mr.B.Mohan, learned Special Public Prosecutor for the third respondent, Serious Fraud Investigation Wing (SFIO) and perused the materials available on record, particularly, the counter affidavits filed by respective respondents.

6. It is an undisputed fact that the subject property originally belongs to "M/s.Sakthi Steel Industries Pvt. Ltd.," (in short, 'SSIPL'). The said SSIPL had sold the property to the petitioner's mother in the year 2019 (i.e. 06.03.2019). Subsequently, the petitioner's mother has settled the same in favour of the petitioner by virtue of a Settlement Deed on 12.02.2020. Thereafter, the petitioner has decided to sell the property in favour of one Nagaraj, hence, he executed a sale deed dated 21.03.2025 and presented the same for registration before the second respondent. However, the said document was not registered and kept pending on the ground that the subject property was purchased by SSIPL, viz., the vendor of the petitioner's mother,



W.P.No.13155 of 2025

through a public auction from and out of the funds alleged to have siphoned by Surana Industries Ltd.

6.1 It is seen that the Ministry of Corporation Affairs, Central Government vide letter dated 08.09.2022 has instructed the third respondent/SFIO to initiate prosecution against Surana Industries Ltd., and 14 others and also their entities, who were are all involved in fraud and money laundering and also sought for an order of freezure and attachment of the properties, pursuant to which, the third respondent/SFIO filed a Company Petition before NCLT, being C.P.No.125 of 2022, and the NCLT passed an interim order dated 17.11.2022, whereby and whereupon, the respondents 4 to 40 and 43 to 93 thereunder were enjoined from alienating both movable and immovable properties and, amongst such entities, SSIPL, viz, the vendor of the petitioner's mother, is also included and hence, the third respondent has communicated the said interim order dated 17.11.2022 of the NCLT to the first respondent, Inspector General of Registration, for taking appropriate action and to give effect to the orders of the NCLT, who in turn, vide communication letter dated 23.05.2023 instructed the second



W.P.No.13155 of 2025

respondent, Sub Registrar from preventing any further documentation in relation to the subject property, inasmuch as, subject property is one among the properties under attachment by virtue of the interim order passed by NCLT, as, the petitioner's mother has purchased the subject property from SSIPL, who was alleged to have purchased the same in a public auction from and out of the funds siphoned by Surana Industries Ltd.,.

6.2 In the light of the aforesaid facts and circumstances of the case, this Court is of the view that the effective and efficacious remedy that is available to the petitioner is to approach NCLT for getting clearance of his property from attachment by substantiating his stand that at the time of passing of the interim order/general direction by the NCLT on 17.11.2022, the subject property no longer stands in the name of "M/s.Sakthi Steel Industries Pvt. Ltd.," as it was already sold to the petitioner's mother by SSIPL in the year 2019 itself and that the subject property was not purchased by "M/s.Sakthi Steel Industries Ltd.," out of the funds siphoned from Surana Industries Ltd., and to seek for NOC. Unless and until, if any, leave is granted by NCLT, the petitioner would not be entitled to deal with the



W.P.No.13155 of 2025

property or create any alienation by means of any sale deed/settlement deed, if done so, the same would cause unnecessary hardship not only to the third respondent, Investigating Agency, but also to the gullible public, investors, depositors, including the innocent purchaser herein, viz., Nagaraj, in whose favour, the petitioner intends to sell the property.

7. Therefore, this Court does not find any merit in the Writ Petition, as such, the same is ordered to be dismissed. However, it is open to the petitioner to workout his remedy before the NCLT, in the manner as stated supra, or shall wait till SSIPL is relieved from all such controversies, viz., from the issue of fraud and misappropriation of funds committed by Surana Industries Ltd., against which Company, the criminal prosecution has been initiated by the third respondent, in which, SSIPL is also roped in. No costs.

22.10..2025

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Index : yes/no

Neutral Citation : yes/no

To

10/12



W.P.No.13155 of 2025

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Krishnan Ramasamy,J.,

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WEB COPY



W.P.No.13155 of 2025

W.P.No.13155 of 2025

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