



W.P.(Criminal) No.445 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.(Criminal) No.445 of 2025 and

W.P.M.P.(Crl.) No.212 of 2025

Somu

... Petitioner

Vs.

1. The Inspector of Police
Economic Offences Wing-II
Villupuram District

2. The Sub Registrar
Panruti
Cuddalore District

3. Chitra

... Respondents

Prayer: Writ Petition (Criminal) filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus to call for records relating to the impugned letter dated 06.03.2020 passed by the first respondent and quash the same and further direct the second respondent to register the settlement deed dated 07.11.2024 presented by the petitioner within a stipulated period as fixed by this Court.



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For Petitioner : Mr.M.Lenin Samuel
For 1st Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

This Writ Petition (Criminal) has been filed by the petitioner to quash the impugned letter dated 06.03.2020 passed by the first respondent and further to direct the second respondent to register the settlement deed dated 07.11.2024 presented by the petitioner within a stipulated period as fixed by this Court.

2. The learned counsel for the petitioner submitted that the petitioner is the absolute owner of the property in Plot Nos.17, 18 and 19 situated in Sri Arul Sakthi Nagar Layout, Lakshminarayanapuram Village, Panruti, Cuddalore vide registered sale deed dated 29.01.2019 in Document No.179 of 2019 from one S.Jailani. On 07.11.2024, the petitioner executed a settlement deed in favour of his son S.Nallasivan in respect of the said property and after paying



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the required registration fees, token was initiated and the document was

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presented to the second respondent for registration. But the second respondent refused to receive the document by citing the letter dated 06.03.2020 issued by the first respondent to the second respondent. On enquiry, the petitioner came to know that the third respondent has lodged a complaint before the first respondent alleging that the petitioner's vendor namely S.Jailani and few others had been running a business under the names Sudar Self Help Society, Sudar Oil Benefit Fund Nithi Ltd, among other names and fraudulently obtained money in the name of Benefit Funds and Self Help Funds, from the third respondent and many others, promising them that they will receive good returns on investment. But after collecting the money, the said S.Jailani and others, bought lands in their names and absconded. Therefore, the case in Crime No.7 of 2019 came to be registered following which, the first respondent had sent the said letter dated 06.03.2020 to the second respondent.

3. The contention of the petitioner is that the subject property belongs to

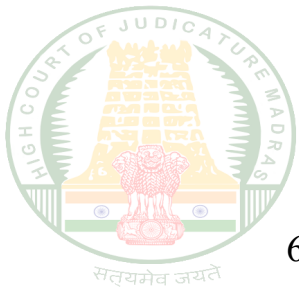


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the petitioner and he is a bonafide purchaser for a valuable consideration without notice of defect in title. The petitioner's vendor had purchased the property even prior to starting of the business in the year 2015. Without ascertaining the same, the first respondent issued the impugned letter to the second respondent informing them to not to register any document in respect of the subject properties. Hence, challenging the same, the present petition is filed.

4. The learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2 submitted that the subject property is covered under the FIR in Crime No.7 of 2019 registered for the offences under Sections 420, 406, 120(B) IPC and Section 5 of TNPID Act and that the investigation is pending. Pending investigation, if the petitioner sell away the property, the victims could not get the relief. Therefore, the impugned letter was issued by the first respondent to the second respondent.

5. Heard both sides and perused the materials available on record.



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6. It is seen that the case in Crime No.7 of 2019 has been registered for

the offences under Sections 420, 406, 120(B) IPC and Section 5 of TNPID Act and the investigation is pending and that the subject property is also covered under the said Crime Number. Since the investigation is pending, at this stage, the petitioner is not entitled to the relief sought for.

7. Accordingly, this Writ Petition (Criminal) is dismissed at the admission stage itself. Consequently, the connected Miscellaneous Petition is closed.

8. However, if the petitioner has got right over the property, he can work out his remedy before the competent civil Court.

31.07.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Inspector of Police
Economic Offences Wing-II
Villupuram District

2. The Sub Registrar
Panruti
Cuddalore District

3. The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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