



W.P.(MD)Nos.5473, 5474 and 5475 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)Nos.5473, 5474 and 5475 of 2025
and W.M.P(MD).Nos.4000, 4001, 4003, 4004, 4012 and 4013 of 2025

W.P(MD).No.5473 of 2025

G.Palanidass

... Petitioner

VS.

1.The District Registrar,
O/o., The District Registrar,
Theni District.

2.The Sub Registrar,
O/o., The Sub Registrar,
Bodinayakkanur,
Theni District.

3.The Deputy Superintendent of Police,
Economic Offences Wing,
No.514, Ceylon Burma Colony,
Kanjirangal Village,
Sivagangai District 630 561.

4.The Inspector of Police,
DCB Police Station,
Sivagangai.

... Respondents



W.P.(MD)Nos.5473, 5474 and 5475 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the second respondent in refusal check slip refusal No.RFL/BOdinayakkanur/4/2025 dated 31.01.2025 and quash the same and subsequently directing the second respondent to register the document presented by the petitioner dated 31.01.2025.

W.P(MD).No.5474 of 2025

P.Shanmuga Raja

... Petitioner

vs.

- 1.The District Registrar,
O/o., The District Registrar,
Theni District.
- 2.The Sub Registrar,
O/o., The Sub Registrar,
Bodinayakkanur,
Theni District.
- 3.The Deputy Superintendent of Police,
Economic Offences Wing,
No.514, Ceylon Burma Colony,
Kanjirangal Village,
Sivagangai District 630 561.
- 4.The Inspector of Police,
DCB Police Station,
Sivagangai.

... Respondents



W.P.(MD)Nos.5473, 5474 and 5475 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the second respondent in refusal check slip refusal No.RFL/Bodinayakkanur/5/2025 dated 31.01.2025 and quash the same and subsequently directing the second respondent to register the document presented by the petitioner dated 31.01.2025.

W.P(MD).No.5475 of 2025

J.Young Mathew

... Petitioner

vs.

- 1.The District Registrar,
O/o., The District Registrar,
Theni District.
- 2.The Sub Registrar,
O/o., The Sub Registrar,
Bodinayakkanur,
Theni District.
- 3.The Deputy Superintendent of Police,
Economic Offences Wing,
No.514, Ceylon Burma Colony,
Kanjirangal Village,
Sivagangai District 630 561.
- 4.The Inspector of Police,
DCB Police Station,
Sivagangai.

... Respondents



W.P.(MD)Nos.5473, 5474 and 5475 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the second respondent in refusal check slip refusal No.RFL/Bodinayakkanur/3/2025 dated 31.01.2025 and quash the same and subsequently directing the second respondent to register the document presented by the petitioner dated 31.01.2025.

In all petitions

For Petitioners	: Mr.M.Sricharan Rangarajan Senior Counsel for Mr.S.Ramsundarvijayraj
For R1 & R2	: Mr.N.Ramesh Arumugam Government Advocate
For R3 & R4	: Mr.M.Karunanithi Government Advocate

COMMON ORDER

The three writ petitions relate to refusal check slips that have been issued by the Sub-Registrar, Bodinayakkanur, Theni District, on 31.01.2025. The ground of refusal is that the police, namely, third and fourth respondents in all the three writ petitions have given objections to the Sub-Registrar not to register any document relating to the property covered by the deeds.



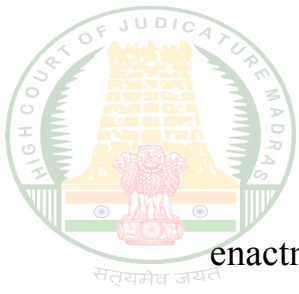
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2. The respondents 3 and 4 had given the objections on account of the fact that the property had been owned by the Directors of Finance Company under the name and style of 'New Raise Alayam Small Banking Finance Private Limited', Sivagangai.

3. I heard Mr.M.Sricharan Rangarajan, learned Senior Counsel for Mr.S.Ramsundarvijayraj for the petitioners, Mr.N.Ramesh Arumugam, learned Government Advocate, who takes notice for the respondents 1 and 2 and Mr.M.Karunanithi, learned Government Advocate, who takes notice for the respondents 3 and 4.

4. The position of law has been settled in a judgment of the ***Hon'ble Mr.Justice.N.Anand Venkatesh*** in the case of ***R.Madhupriya and another Vs., The Inspector General of Registration and others 2020 SCC Online MAD 20112***. The learned Judge held that the police do not have powers of attachment and that too, by way of letter. He pointed out that the investigating officer should take steps to get the property attached through a competent authority under the relevant



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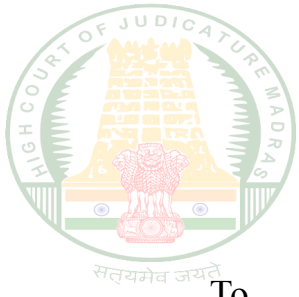
enactments. Despite the fact that this judgment has been applied consistently by this Court, unfortunately, the police instead of moving the competent authority under the relevant statutes, are continuing to issue letters and thereby, preventing parties from registering documents.

5. As the position of law has been settled by *Madhupriya's case*, I have no other option to interfere with the impugned refusal check slips. Accordingly, the impugned orders are set aside. As held by Mr.Justice N.Anand Venkatesh in *Madhupriya's case*, this order will not stand in the way of respondent police to approach the competent authorities under the appropriate legislations, for reliefs that they deem appropriate.

6. In view of the above, these Writ Petitions are allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index :Yes / No
NCC :Yes / No
Rmk

28.02.2025



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To

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V. LAKSHMINARAYANAN, J.

Rmk

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5478 of 2025

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