



W.P.(MD) No.8818 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

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|---|--|-----|-------------|
| 1 | S.Ignatious Sathish | | |
| 2 | C.P.Selvaraj | | |
| 3 | M.Vellingiri | | |
| 4 | A.Shanmugam | | |
| 5 | K.Arumugam | | |
| 6 | K.Palanisamy | | |
| 7 | V.G.Saravanan | ... | Petitioners |
| | | Vs | |
| 1 | The Sub Registrar,
North Veeravanallur,
Tirunelveli District. | | |
| 2 | The Inspector of Police,
Economic Offences Wing (EOW),
Kanyakumari District. | ... | Respondents |



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records pertaining to the refusal check slip passed by the 1st respondent in R.F.L./North Veravanallur/11/2025, dated 05.03.2025, and quash the same and further direct the 1st Respondent to register the sale agreement presented by petitioners, dated 05.03.2025.

For Petitioners : Mr.R.Balakrishnan

For Respondent 1 : Mr.R.Suresh Kumar,
Addl. Govt. Pleader.

For Respondent 2 : Mr.M.Karunanithi,
Govt. Advocate.

ORDER

The petitioners state that the property in Survey Nos.669/2, 670/1, 692/1A, 692/3 and 693/1, South Veravanallur Village Part II, Cheranmahadevi Taluk, Tirunelveli District, measuring to an extent of 10 Acres 39 Cents, belongs to one M/s.Booma Agro Tech Limited. The petitioners claim that they are also investors in the said company. Alleging fraudulent activities committed by M/s.Booma Agro Tech Limited, they lodged a complaint with the Superintendent of Police, Kanyakumari District. On



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coming to know of the complaint, the officials of the aforesaid company alienated the property at Cheranmahadevi in favour of the petitioners. They presented a document and the same was rejected under the impugned order. The ground of rejection is that the second respondent – Inspector of Police (EOW), has given a letter to the first respondent not to register any document with respect to the proposed survey numbers. Hence, this Writ Petition.

2. I have heard Mr.R.Balakrishnan, for the petitioner; Mr.R.Suresh Kumar, for the first respondent; and Mr.M.Karunanithi, for the second respondent.

3. It is clear from the above facts that the subject property belongs to a company, which is facing prosecution at the hands of the second respondent. While the second respondent is entitled to move the competent authority or the court to get an order of attachment, he cannot, *per se*, pass an order of attachment or issue letters, restraining the Sub-Registrar from registering any document. If the second respondent feels that the subject property is covered by "proceeds of crime", the appropriate remedy is to move the TNPID Court and get an order of attachment. Law, in this regard, is settled by a decision of this Court in *Madhupriya v. Inspector General of Registration*, 2020 SCC Online Madras 20112.



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4. In the light of the above discussion, the impugned order is quashed. There shall be a direction to the first respondent to register the sale deed executed in favour of the petitioners. This order will not stand in the way of the second respondent from moving appropriate authorities or courts for getting an order of attachment, if he so desires.

5. Writ Petition is allowed accordingly. No costs.

01.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1 The Sub Registrar,
North Veeravanallur,
Tirunelveli District.
- 2 The Inspector of Police,
Economic Offences Wing (EOW),
Kanyakumari District.



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V.LAKSHMINARAYANAN, J.

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