



WA(MD). No.1129 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 28/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.1129 of 2025
and CMP(MD) No.7087 of 2025

1. Shanmuganathan
2. Arunachalam

... Appellants/Petitioners

v.

1. The Joint Sub Registrar
Aruppukottai
Aruppukottai Taluk
Virudhunagar District

2. The Inspector of Police,
Economic Offence Wing
Virudhunagar

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against
the order of this Court dated 28.01.2025 in WP(MD). No.16603 of 2024.

For Appellants : Mr.C.Mariappan
For Respondents : Mr.R.Sureshkumar for R1
Additional Government Pleader
Mr.A.Albert James for R2



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JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The writ petitioners are the appellants. They are aggrieved by the order of the writ Court dated 28.01.2025, in and by which, the impugned order passed by the first respondent on the basis of the objection of the 2nd respondent was challenged. The writ Court, finding that the property in question is involved in a criminal proceedings, had not interfered with the findings of the first respondent in not registering the document.

2. Heard the learned counsel for the appellants, the learned Additional Government Pleader for the 1st respondent and the learned Government Advocate for the 2nd respondent.

3. It is seen that the vendor of the petitioners is one Muthumari, against whom and against her husband, a criminal case is pending, wherein, the property in question is going to be attached. In the said case, the said Muthumari and her husband were arrayed as A12 and A8 respectively. Therefore, the 2nd respondent has given objections for



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registering the document with regard to the said property. It is rightly held by the writ Court that the vendor of the petitioners has cheated the depositors by starting a gold jewelry business and from the crime proceeds, the property in question has been purchased by the said Muthumari and it was subsequently sold to the 2nd appellant herein and the first appellant was given power of attorney and has created encumbrance over the property. In order to settle the depositors, the 2nd respondent is taking steps to identify the property and attach the same and on the objection raised by the 2nd respondent, the first respondent has rejected the request of the appellants to register the document for the property in question. Hence, the writ Court rightly dismissed the writ petition. Therefore, no interference is warranted to the order of the writ Court. Accordingly, the writ appeal stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

28.04.2025

NCC : Yes/No

Index : Yes/No

RR

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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.1129 of 2025

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