



W.P(MD)No.11574 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.01.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.11574 of 2023

M.Muthusamy

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
58/1, Cutchery Road,
Virudhunagar - 626 001.

2.The Sub -Registrar,
Veeracholan Sub -Registrar Office,
Veeracholan - 626 612,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pursuant to the impugned order issued in Na.Ka.No. 40/2023 dated 24.03.2023 by the 2nd respondent to quash the same as illegal, and to direct the respondents to remove the encumbrance of Justice Retired RM Lodha Committee in the matter of PACL Ltd., on the property situated at S.No.99/3 Thuyyanur Village, Sottamuri Revenue



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Village, Thiruchuli Taluk, Virudhunagar District and issue a suitable order for registration of the deed in the legal heirs of the deceased namely Muthaiah, based on the petitioners application dated 08.03.2023 within a stipulated by this Court.

For Petitioner : Mr.B.Anandan

For Respondent : Mr.D.Sadiq Raja,
Addl. Government Pleader.

ORDER

This writ petition has been filed for a direction, directing second respondent to delete the entry in the Encumbrance certificate of the petitioner's property in S.No.99/3 Thuyyanur Village, Sottamuri Revenue Village, Thiruchuli Taluk, Virudhunagar District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. In respect of the same property, PACL of India Limited had collected the deposits from various investors and failed to repay the said



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amount, finally it was reached upto the Hon'ble Supreme Court of India.

By order, dated 2.2.2016 the Hon'ble Supreme Court of India appointed a committee headed by the justice Lodha to sell the properties belonging to the PACL India Limited. Subsequently, the Lodha committee had appointed the District Judge to identify the properties belonging to the company. Therefore, the petitioner ought to have approach the District Judge, who is appointed by the Lodha Committee to deal with this issue.

4. In view of the above, the petitioner is at liberty to approach the District Judge, who is appointed by the Lodha Committee to rectify the mistakes in the encumbrance certificate and the entries in respect of the subject property, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of.

No costs.

07.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.K.ILANTHIRAIYAN, J.

ias

To:-

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