



W.P(MD)Nos.17818, 18013 & 18091 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)Nos.17818, 18013 & 18091 of 2025

W.P(MD)No.17818, 18013 & 18091 of 2025

Mariyam Beevi

... Petitioner

Vs

1. The Sub-Registrar,
Ayyampettai Sub-Registrar Office,
Thanjavur District.
2. The Inspector of Police,
Economic Offences Wing, Thanjavur.
(R2 is Suo Motu Impleaded Vide Court Order
Dated 2.7.25 in Wp(MD)no.17818, 18013 & 18091/25).

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the respondent vide check slip dated on 19.06.2025 thereby rejecting the registration of the document namely sale deed dated on 19.06.2025 bearing pending document No.P/Ayyampettai /6/2025 and quash the same as illegal and consequently, directing the respondent to register the document presented by the petitioner for registration within the period that may be stipulated by this Court.



W.P(MD)Nos.17818, 18013 & 18091 of 2025

W.P(MD)No.18013 of 2025

Mohamed Abdullah

... Petitioner

Vs

The Sub Registrar,
Ayyampettai Sub Registrar Office,
Thanjavur District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the respondent vide check slip dated on 20.06.2025 thereby rejecting the registration of the document namely settlement deed dated on 19.06.2025 bearing pending document No.P/Ayyampettai/5/2025 and quash the same as illegal and consequently directing the respondent to register the document presented by the petitioner for registration within the period that may be stipulated by this Court.

W.P(MD)No.18091 of 2025

Mohamed Abdullah

... Petitioner

Vs

The Sub Registrar,
Ayyampettai Sub Registrar Office,
Thanjavur District.

... Respondent



W.P(MD)Nos.17818, 18013 & 18091 of 2025

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the respondent vide check slip dated on 26.06.2025 thereby rejecting the registration of the document namely settlement deed dated on 26.06.2025 bearing pending document No.P/Ayyampettai/7/2025 and quash the same as illegal and consequently directing the respondent to register the document presented by the petitioner for registration within the period that may be stipulated by this Court

(In all petitions)

For Petitioner	: Mr. V.G.Vallarasu Chezhiyan
For R-1	: Mr.S.Saji Bino Special Government Pleader
For R-2	: Mrs.M.Aasha Government Advocate
For R-3	: Mr.R.L.Dhilipan Pandian

COMMON ORDER

These Writ Petitions have been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slips dated 19.06.2025, 20.06.2025, 26.06.2025 and consequently, directing the official respondent to register the document presented by the petitioners for registration.



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2. This Court, suo motu, impleads the Inspector of Police, Economic Offences Wing, Thanjavur, in W.P.(MD) No. 17818 of 2025, since it was submitted that the property in dispute is covered under the proceedings initiated under the TNPID Act. Subsequently, one Firojin Nisha filed an impleading petition stating that she is the de facto complainant in the criminal proceedings initiated against the petitioner's brother. Therefore, the said impleading petition was allowed by this Court.

3. The brief facts are that based on the defacto complainant's petition, the respondents had initiated criminal action against the petitioners' brother namely Mustafa under TNPID Act. It is stated that Musthafa has now settled property in favour of the petitioners. Now, the petitioners are seeking to register the said settlement deed before the authorities. After considering the same, the impugned orders have been passed stating that the properties are covered under the proceedings initiated under TNPID Act.

4. The learned Counsel appearing for the petitioners relied on the judgment rendered in W.P.(MD)No 2113 of 2023 dated 12.09.2024, wherein, it was held that entry made based on the request of the Investigating Officer ought to be



removed. In that case, the Court had also recorded the submission of the learned Special Government Pleader that the criminal case initiated against Musthafa had ended in conviction, sentencing him to undergo two years of simple imprisonment with a fine and there was no order relating to confiscation of the property. However, in the present case, the FIR has been filed and the matter is still at the investigation stage, and the respondents have proceeded further to attach the property. Therefore, the said judgment cannot be relied upon.

5. The next citation relied on by the petitioners is WP(MD)No. 12289 of 2020, vide order dated 09.09.2020, wherein the learned Single Judge held that merely based on letters issued by the police, without a proper attachment order, registration cannot be refused. However, in the present case, based on the complaint, investigation has been completed, and the respondent police are now taking steps to attach the property.

6. In such circumstances, the facts are different in the present case. The respondent have already initiated proceedings to attach the property. At this stage, if the transactions are entered and allowed, then it would hamper the proceedings and the innocent victims would be affected. Therefore, this Court is not inclined to entertain the petitioners' plea because the facts are different. The next citation



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referred is W.P.(MD)No. 5473 of 2025 batch, vide order, dated 28.02.2025, wherein, the learned Single Judge relied upon the judgement in ***R.Madhupriya and Another Vs. The Inspector General of Registration and others reported in 2020 SCC online MAD 20112***,. However, the facts in the said decision are also different. In the present case, the criminal proceedings further proceeded and the respondents have initiated action to attach the property. Therefore, this Court is of the considered opinion that the said citation will not support the petitioners' claim. Hence, the impugned orders are confirmed.

7. Accordingly, these Writ Petitions stands dismissed. There shall be no order as to costs.

18.07.2025

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

jbr



W.P(MD)Nos.17818, 18013 & 18091 of 2025

To:

1. The Sub-Registrar,
Ayyampettai Sub-Registrar Office,
Thanjavur District.
2. The Inspector of Police,
Economic Offences Wing, Thanjavur.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)Nos.17818, 18013 & 18091 of 2025

DATED : 18.07.2025