



W.P(MD)No.20511 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20511 of 2025

K.Pankaj Karnatak

The petitioner is representing through
their power agent one
K.Veeraperumal
S/o.Kamaraj,
Door No.1/22, East Street,
Koorakundu Village,
Virudhunagar Taluk,
Virudhunagar District.

... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office,
Sattur,
Virudhunagar District.

... Respondent

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 in pursuance of the impugned Refusal Check Slip in Refusal No RFL/Sattur/28/2025 dated 02.07.2025 the respondent herein and quash the same as illegal and consequently direct the respondent to register the document submitted by the petitioners in TP/223540183/2025 dated 02.07.2025.



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For Petitioner : Mr.S.Selvakumar

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The sale deed dated 20.06.2025 was executed in favour of one Sekar by the writ petitioner. The document was presented for registration. The registering officer declined to register the document on the ground that the property in question belongs to the defaulting establishment known as PACL and hence in view of the attachment of PACL properties, the document cannot be registered. Challenging the stand of the registering officer, this writ petition has been filed.

2. In such cases, the presentant of the document has to approach the Committee headed by Hon'ble Judge Shri.R.S.Virk. When a similar issue arose before me in W.P.(MD)No.5184 of 2022, it was disposed of on 03.11.2023 in the following terms:-

“2. Thiru.S.Arulkumar executed sale deed dated 02.08.2021 in favour of the petitioner for conveying the petition mentioned property. It was presented for registration before the second respondent. The document was accepted for registration and kept as a pending document. All the registration formalities have been completed at the end of the writ petitioner. But the document was not



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released by citing the restraint order passed by the Hon'ble Supreme Court in PACL case. Hence the present writ petition came to be filed.

3. The learned Senior Counsel appearing for the writ petitioner submitted that the registering authority can refuse registration only under the circumstances set out in Section 22-A of the Registration Act, 1908. He pointed out that the case on hand would not fall under any of those circumstances. His prime contention is that when once the document has been accepted for registration, it can be kept as a pending document only if there is under valuation and not for any other reason. He called upon this Court to grant relief as prayed for.

4. In my view, Section 22-A of the Registration Act, 1908 is not exhaustive of the circumstances under which the registering authority can refuse registration. The registering authority is always bound by the restraint orders that may be passed by Courts. The petitioner has to pay a sum of Rs.3,90,820/- (Rupees Three Lakhs Ninety Thousand Eight Hundred and Twenty only) towards stamp duty and registration charges. She had also paid a sum of Rs. 50,00,000/- (Rupees Fifty Lakhs only) towards sale consideration to Arul Kumar. It is too obvious that the petitioner has been put to considerable financial difficulties and hardship. This could have been very easily avoided if only the restraint order passed by the Hon'ble Supreme Court of India had been entered in the encumbrance register. There is also considerable merit in the contention advanced by the learned Senior Counsel appearing for the petitioner that the case on hand does not appear to be covered by the restraint order passed on 25.07.2016. The interim prayer sought for read as follows:



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“(a) pass an order directing that no Civil Court or other Authority or Forum shall entertain any suit or other proceeding in respect of any claim or related matter(s) pertaining to PACL Ltd. And/or its Directors/Promoters/Group Companies/entities/ individuals etc., arraying therein as parties/Defendants/Respondents the Justice (Retd.) R.M.Lodha Committee (in the matter of APCL Ltd.), and/or its Chairman and/or its Members and/or the Securities and Exchange Board of India and further no injunction shall be granted by any Court or other Authority or Forum in respect of any action taken or to be taken by the Justice (Retd.) R.M.Lodha Committee (in the matter of PACL Ltd.) and/or its Chairman and/or its Members and/or the Securities and Exchange Board of India, with respect to claims and/or matter(s) relating to investments/deposits etc. in/with PACL Ltd. or its Directors / Promoters / Group Companies/Entities/Individuals etc.; ”

It is pointed out that the petitioner’s predecessors in title did not enter into any transaction with PACL after the said date.

5. The learned Standing Counsel appearing for the third respondent points out that the Hon’ble Supreme Court of India had restrained all Courts in India from entertaining any claims involving PACL properties. This restraint order had been passed as early as on 02.05.2016. All Courts in India are bound to act in conformity with the direction given by the Hon’ble Supreme Court. Even though my sympathy may lie with the petitioner herein, I have to necessarily relegate her to go before the third respondent. The petitioner can place her case before the third respondent through online mode. The petitioner can submit her case before the third respondent by sending her representation through registered post. Since a retired District Judge Shri.R.S.Virk had been appointed to scrutinize the claims, I am confident that the case of the petitioner will receive a dispassionate consideration and if the petitioner is entitled she will get relief as expeditiously



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as possible. If the committee headed by Shri.R.S.Virk finds merit in the petitioner's claim and an appropriate order is passed to that effect, the second respondent will release the document.”

3. This writ petition is also disposed of on the same lines. The petitioner has to adopt the course of action as indicated above. No costs.

18.11.2025

Index : Yes / No
Internet : Yes/ No
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To

The Sub Registrar,
Sub Registrar Office,
Sattur,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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