



W.P(MD)No.19995 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:29.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19995 of 2023

and

W.M.P.(MD).Nos.16490 and 16492 of 2023

Chinnadurai R

... Petitioner

Vs.

1. The District Registrar,
Virudhunagar District,
Virudhunagar.

2. The Authorized Representativ,
E, Pacl Limited, 7th Floor, Gopaldas Bhawan,
28, Baragamba Road,
New Delhi - 110 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order in Na.Ka.No. 4725/Aa4/2022 dated 01.12.2022 on the file of the 1st respondent and quash the same.

For Petitioner : Mr. K.Jeyamohan

For Respondents : Mr. G. Suriya Ananth, (R1)
Additional Government Pleader



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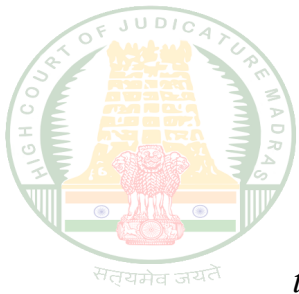
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ORDER

The present Writ Petition has been filed to quash the impugned order passed in Na.Ka.No.4725/Aa4/2022 dated 01.12.2022, by the first respondent.

2.Through the impugned order, the first respondent has stated that the property belongs to the second respondent/Pacl Limited. Therefore, based on the direction issued by the Honourable Supreme Court in I.A.No.10 of 2016 in C.A.No.13301 of 2015, dated 02.02.2016, the property cannot be registered.

3.However, the learned counsel appearing for the petitioner submitted that he approached the Hon'ble Lodha Committee and there is a direction by the Committee to approach the subcommittee. He has also approached the subcommittee, which was headed by the retired District Judge Mr.R.S.Virik and the petitioner has filed an objection before the sub Committee. The Sub Committee of the said Lodha Committee dismissed his objection by order dated 09.06.2022. Challenging the same, the petitioner has preferred an I.A.Nos.131890 and 131086 of 2022 before the Honourable Supreme Court and the same is pending. An identical issue was also considered by another learned Single Judge, where he has passed an order in W.P.(MD).No.24031 of 2023, dated 04.10.2023, which is extracted hereunder:



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2. The petition mentioned property was purchased by the writ petitioner on 18.01.2019. The petitioner had applied for the encumbrance certificate before his purchase. The encumbrance certificate did not reflect the restraint order passed by the Hon'ble Apex Court. Since the petitioner had purchased the property that is apparently covered by the Hon'ble Apex Court's direction, the impugned order dated 31.07.2023 came to be passed by the first respondent nullifying the transaction. Since the petition mentioned property is proposed to be auctioned, the petitioner appeared before the Hon'ble Lodha Committee and offered his objections. His objections were overruled on 09.06.2022. Challenging the same, the petitioner has filed IA Nos.131043 and 131083 of 2022 in Civil Appeal No.13301 of 2015. The petitioner can very well pursue his remedy before the Hon'ble Apex Court. Merely because the impugned order came to be passed, the petitioner's application will not become infructuous. Since the Hon'ble Apex Court is seized of the matter, it would not be appropriate for me to go into the correctness of the impugned order. I however make it clear that the impugned order will abide by the outcome of the Interlocutory Applications filed by the petitioner before the Hon'ble Apex Court. In other words, the petitioner's rights and title over the petition mentioned property will depend upon the outcome of the said Interlocutory Applications.



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4.Following the same, the petitioner shall be restrained from dealing with the property until the interlocutory applications are disposed of. However, this restraint is subject to the outcome of I.A. Nos. 131890 and 131086 of 2022. The petitioner is specifically restrained from alienating, mortgaging, leasing, or otherwise encumbering the property. Nevertheless, he is permitted to continue operating the concern, as stated in his submissions. This permission is also subject to the outcome of the interlocutory applications presently pending before the Hon'ble Supreme Court.

5.With the above observations, this writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected writ miscellaneous petitions are closed.

29.08.2025

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

vsg

To
The District Registrar,
Virudhunagar District,
Virudhunagar.



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S.SRIMATHY, J.

vsg

**ORDER MADE IN
W.P(MD)No.19995 of 2023**

DATED :29.08.2025