



W.P(MD)No.27362 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27362 of 2025

and

W.M.P.(MD)No.21272 of 2025

Thamilarasi

... Petitioner

Vs.

The Sub Registrar,
Office of the Sub-Registrar,
Pandalgudi,
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 pertaining to the impugned refusal check slip in refusal number RFL/Pandalgudi/20/2025 dated 15.09.2025 issued by the respondent and quash the same as illegal and direct the respondent to register the sale deed dated 15.09.2025 presented by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.O.R.Gokul Abimanyu

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader



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ORDER

Sale deed dated 15.09.2025 was executed by the writ petitioner in favour of one Pitchaikani purporting to convey the petition mentioned property. The document was presented for registration. The registering officer declined to register the document on the sole ground that the property appears to belong to 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. The learned counsel of the petitioner pointed out that the property that belongs to PACL is comprised in S.Nos.306/1 Part which is on the western side. According to him, it should be described as comprised in S.No.306/1A. The petitioner is actually dealing only with the property comprised in S.No.306/1B. According to the petitioner, the property that is the subject matter to the sale deed dated 15.09.2025 was never be a PACL property. What the petitioner states might as well be true. But this exercise has to be undertaken by the Committee headed by Hon'ble Judge Shri.R.S.Virk.



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3. 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 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.



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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:

“(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



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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 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."

4. 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. Consequently, connected miscellaneous petition is closed.

17.11.2025

Index : Yes / No
Internet : Yes/ No
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To

The Sub Registrar,
Office of the Sub-Registrar,
Pandalgudi,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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