



WEB COPY

WP No. 776 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 776 of 2022
AND WMP NO. 22350 OF 2023**

B.Buvaneswari
W/o.R.Balaji,
Door No.12, Thiruvalluvar Street,
Nandiarum, Guduancheri 603 202.

Petitioner(s)

Vs

1. The sub Registrar,
Office of the Sub Registrar,
Pallavaram, Chennai.

2.The Deputy Superintendent of Police,
Economic Offences Wing - II, Guindy,
Chennai 600 032.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to Call for the records relating to the impugned order passed by the 1st respondent dated 06/12/2021 made in proceedings No.794 /2021 and to quash the same, consequently the direct the 1st respondent to register the pending document No.P / Pallavaram /274 /2021 presented for registration on 21/10/2021 in respect of the property comprised in Survey No.276 / 5 D bearing plot No. 1, Situate at Selliyanman Kovil street, Kilkattalai Village, Madippakkam zone - II, Pallavaram Taluk, Chengalpattu District.

For Petitioner(s): Mr.C.Prabakaran

For Respondent(s): Mr.P.Harish, GA for R1 & 2



ORDER

This writ petition has been filed challenging the impugned order dated 06.12.2021 passed by the 1st respondent.

2. The learned counsel for the petitioner would submit that in this case, the petitioner, being an innocent purchaser, had presented the sale deed for the purpose of registration. However, the respondent had refused to register the same by stating that a criminal complaint is pending before the EOW, pertaining to the subject property.

3. Further, he would submit that it was informed by the EOW officials to the Revenue Authorities that the subject property was purchased by the petitioner's vendor out of the fraudulent funds. However, according to the petitioner, he is merely an innocent purchaser and no way connected with the said fraudulent activities. Though the said aspect was explained to the respondents, without considering the same, the refusal order came to be passed on 06.12.2021.

3. In reply, the learned counsel for the official respondents would submit that due to the communication received from EOW, the respondents are not in a position to register the sale deed presented by the petitioner. Hence, he requests this Court to pass appropriate orders.



4. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

5. In the case on hand, the respondents had refused to register the petitioner's sale deed, by stating that a criminal complaint is pending before the EOW, pertaining to the subject property. It was brought to the knowledge of this Court about the communication sent by the EOW officials to the Revenue Authorities by stating that the subject property was purchased by the petitioner's vendor out of the fraudulent funds. Due to the said communication only, the respondent had refused the registration of sale deed. In such case, this Court does not find any fault on the part of the respondents in passing the refusal order.

6. Now, to pass an order for registration of petitioner's sale deed, the aspects, viz., as to whether the petitioner had purchased the subject property vide fair consideration and as to whether the consideration was already passed on, are required to be considered. However, these factual aspects cannot be decided by this Court and the same has to be adjudicated before the concerned Court, where the criminal case is pending.



7. Once the petitioner's innocence is established before the said Court, thereafter, the respondent shall decide with regard to the registration of the petitioner's sale deed in accordance with law. Until then, no interference can be made in the refusal order passed by the respondent.

8. In view of the above, this Court is inclined to dismiss the present petition. Accordingly, this writ petition is dismissed. No cost. Consequently, the connected miscellaneous petition is also closed.

09-04-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The sub Registrar,
Office of the Sub Registrar, Pallavaram,
Chennai.

2. The Deputy Superintendent of Police,
Economic Offences Wing - II, Guindy,
Chennai 600 032.



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KRISHNAN RAMASAMY J.
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