



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

WEB COPY

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 252 of 2025

and

WPMP CrI. Nos. 109 & 110 of 2025

J.Kamasala
W/o.P.Janakiraman,
9,N.N Street, Arumugapettai
Wallajahabad-631 605
Kancheepuram District

..Petitioner

Vs

1. The State of Tamilnadu
Rep. By its Secretary to Government,
Home Department, Secretariat,
Chennai-600 009.
2. The Director of Vigilance and Anti-Corruption
293, MKN Road,
Alandur,
Chennai-600 016.
3. The Superintendent of Police
Vigilance and Anti-corruption,
Special Investigation Cell,
Guindy,
Chennai-600 032
4. The District Collector
Kanchipuram ,
Kanchipuram District
5. The Sub Register
Walajabad Sub Registrar Office,
Kanchipuram District



6. The Tamilnadu Industrial Investment Corporation
rep by its Branch Manager,
692, Anna salai,
Nandanam,
Chennai-35.

..Respondents

Prayer : Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 27.02.2021 made in RC 1911/2021 /B4 passed by the 4th respondent, quash the same and direct the respondents 1 to 3 to take immediate steps to raise the order of attachment made in respect of petitioner's properties measuring 33 cents in S.F.No.632/14, 1.52 acres in S.F.No.632/2 and 31 cents in S.F.No.640/6, Uthukadu Village, Kanchipuram District to remove the encumbrance made therein.

For Petitioner: Mr.N.Manokaran

For Respondents: Mr.R.Ganesh Kumar,
Counsel for Government of Tamil Nadu
(Criminal Side) for R1 to R5
Mr. Md. Sulaiman Basha For R6

ORDER

This Writ Petition has been filed challenging the order dated 27.02.2021 passed by the fourth respondent, thereby confiscating the property and requesting the Registering Authority to make necessary entries with regard to the confiscation of property in the relevant records i.e., Encumbrance Register, etc., so as to ensure that the confiscated property is not transferred in any manner and sent a copy of the encumbrance certificate in respect of the subject property to the fourth respondent.

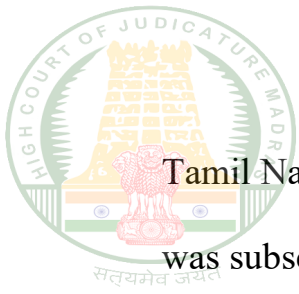


2. Heard the learned counsel appearing on either side and perused the materials available on record.

WEB COPY

3. The petitioner had purchased the properties comprised in Survey No.632/1 to an extent of 33 cents, Survey No.232/2 to an extent of 1.1 acres and Survey No.6/6 to an extent of 31 cents, situated at Uthukkadu, Kanchipuram District, by a registered sale deed dated 03.08.2006 executed by the sixth respondent. Originally, the said properties belonged to one Lakshmi, who had purchased the properties even as early as in the years 1967, 1974 and 1975. Subsequently, the said properties were mortgaged by way of an equitable mortgage dated 16.05.1982 for an extent of 2.15 acres as security for the loan availed by Gouthaman Opticals in favour of the sixth respondent. However, the borrower committed default in repayment of the loan and consequently, the subject properties were brought for sale through public auction on 20.07.2006 by invoking the relevant provision of law. In the said public auction, the petitioner participated and had purchased the subject properties. Consequently, the sixth respondent executed a sale deed in favour of the petitioner. Thereafter, the petitioner came to know that there is an order of attachment in respect of the subject properties had been recorded in the Encumbrance Register.

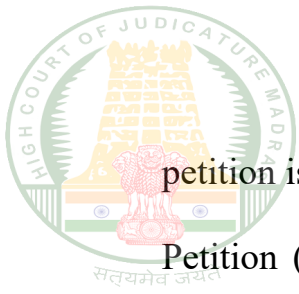
4. On enquiry, the petitioner came to know that the subject properties were attached in pursuant to the conviction of the former Chief Minister of



Tamil Nadu Ms.J.Jayalalitha. The order of conviction passed by the Trial Court was subsequently set aside by the Hon'ble High Court of Karnataka. Aggrieved by the same, the prosecution preferred Criminal Appeal Nos.300 to 303 of 2017 before the Hon'ble Supreme Court of India. By Judgment dated 14.02.2017, The Hon'ble Supreme Court of India set aside the Judgment of the Hon'ble High Court of Karnataka and restored the Judgment of conviction passed by the Trial Court. While setting aside the conviction imposed by the Trial Court, the Hon'ble High Court of Karnataka set aside the order of attachment in respect of several properties, including the subject properties. While allowing the appeals, the Hon'ble Supreme Court of India restored the attachment of the properties.

5. Pursuant to the said judgment, the fourth respondent, by proceedings dated 27.02.2021, instructed the fifth respondent to make necessary endorsement with regard to confiscation of the properties, including the subject properties, in the relevant records such as the Encumbrance Register. Therefore, the petitioner cannot challenge the consequential action taken by the fourth respondent in directing the Registering Authority to make necessary endorsement in the Encumbrance Register after the confiscation of the properties.

6. In view of the above, this Court finds no infirmity or illegality in the order dated 27.02.2021 passed by the fourth respondent. Thus, the writ



petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition (Criminal) stands dismissed. However, the petitioner is at liberty to challenge the attachment in the manner known to law. Consequently, connected miscellaneous petitions are closed. No costs.

11-06-2026

Index: Yes/No

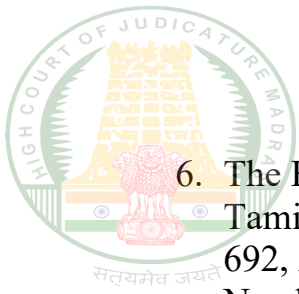
Speaking/Non-speaking order

Neutral Citation: Yes/No

LPP

To

1. The Secretary to Government,
Home Department, Secretariat,
Chennai-600 009
2. The Director of Vigilance and Anti-Corruption
293, MKN Road,
Alandur,
Chennai-600 016
3. The Superintendent of Police
Vigilance and Anti-corruption,
Special Investigation Cell,
Guindy,
Chennai-600 032
4. The District Collector
Kanchipuram ,
Kanchipuram District
5. The Sub Register
Walajabad Sub Registrar Office,
Kanchipuram District



6. The Branch Manager,
Tamilnadu Industrial Investment Corporation
692, Anna salai,
Nandanam,
Chennai-35.

WEB COPY



WEB COPY

WP CrI. No. 252 of 2



G.K.ILANTHIRAIYAN J.

LPP

**WP CrI. No. 252 of 2025
and
WPMP CrI. Nos. 109 & 110 of 2025**

11-06-2026