

W.P(MD)No.13700 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 06.11.2025

PRNOUNCED ON : 16.04.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13700 of 2024

and

WMP(MD)No.12067 of 2024

Coastal Energen Pvt. Ltd.,
A Company Incorporated Under the Companies Act ,
Rep by Resolution Professional Having His Office at
No.31, Third Floor , Krishna 59,1st Avenue , 100 feet road,
Ashok Nagar, Chennai - 600083

... Petitioner

Vs.

- 1.The District Registrar,
No.29,3rd Street,
Alagesapuram,
Thoothukudi 628 002.
2. The Deputy Inspector General Of Registration,
PPG7 + 6Q4, Kokkirakulam,
Tirunelveli ,Tamilnadu - 627009.
3. Madathi
4. Ulgammal
5. K.Mariammal
6. M.Deivanai
7. D.Chithiraikani
8. M.Rasakutty
9. M.Muniyasamy



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10. K.Muniammal

11. M.Muniyasmy alias Chinna Muniysamy

12. Ponmani

13. S.Lakshmanan

14. K.Muthumari

15. P.Petchiammal

16. Mr.Altaf Baig

...Respondents

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records connected with the Impugned Orders Mu.Mu.No.7536/AA4/2021 dated 27.06.2022 passed by the 1st Respondent read with the order in Na.Ka.No. 4957/Vu/2022 dated 29.04.2024 of the 2nd Respondent, to quash the same as illegal and void and relegate the parties to the Civil Court.

For Petitioner : Mr.T.Ravichandran

For Respondents : Mr.S.Kameshwaran
Government Advocate for R1 and R2
Mr.R.Karunanithi for R3
Mr.J.Gunaseelan Muthiah for R7 to R12

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the Impugned Orders Mu.Mu.No. 7536/AA4/2021 dated 27.06.2022 passed by the 1st Respondent read with the order in Na.Ka.No.4957/Vu/2022 dated 29.04.2024 of the 2nd Respondent and relegate the parties to the Civil Court.

2.1. The brief facts of the case are that the petitioner is a Resolution



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Professional appointed by the Adjudicating Authority, Hon'ble National Company Law Tribunal, Chennai Branch [NCLT] vide order dated 04.02.2022 in the matter titled as “State Bank of India Vs Coastal Energen Private Limited”. The petitioner discharges his function under the Insolvency and Bankruptcy Code read with IBBI [Insolvency Resolution Process for Corporate Persons Regulation] Regulations 2016. It is the duty of the petitioner to preserve and protect the assets of the Corporate Debtor including its continuous business operations.

2.2.The Corporate Debtor was acquiring lands for the setting up of its 2*600 MW thermal power plant. They originally acquired an extent of 83 cents of dry lands in S.No.34/1A and 1.40 Acres of land in S.No.24/5 of Tharuvaikulam Village from one Ullagammal and others by virtue of a registered Sale Deed dated 19.06.2009 vide Doc. No.1876/2009. The vendors had claimed rights under Patta No.1286 issued by the Zonal Deputy Tahsildar, Ottapidaram Taluk. The S.No. 34/1A was used for the formation of material movement road for the Corporate Debtor. The Corporate Debtor is having a thermal plant of a capacity of 2 x 600 MW and the power plant is in operation and is generating power and the land in question is absolutely required for the operation of the thermal power plant and the same is in possession of the Corporate Debtor right from the date of purchase.

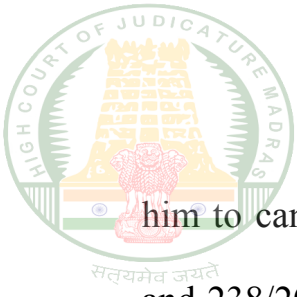
2.3.At the time of forming a road in Survey No, 34/1A, there were



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some disturbances from one Madasamy S/o, Shanmugam who claimed that he along with his sister Madathi are the absolute and exclusive owners, having inherited the same from their father Late.Shanmugam. Since the land in S.No. 34/1A was very much essential for the formation of the road, the Corporate Debtor was left with no other option except to purchase the same property from Madasamy. Accordingly, a sale deed was executed by the said Madasamy and Madathi in respect of an extent of 62 cents of land in S.No.34/1A. The Corporate Debtor conducted the examination with due diligence and being satisfied with the ownership of the property by both Madasamy and Madathi, the Corporate Debtor had purchased the property by means of a registered sale deed vide Doc.No. 238/2010 dated 27.01.2010 and the revenue records also stood transferred in its name. Since the Corporate Debtor realized that the properties did not belong to Ulagammal and others, a cancellation deed was executed in respect of the immovable properties purchased from the said Ulagammal in respect of survey No. 24/5. The Corporate Debtor has been paying the property tax from 2010.

2.4.From the inception of the date of purchase, the Corporate Debtor had been in possession and enjoyment of the said property. The Corporate Debtor has put up construction and is paying property tax for the same. While this being so, after more than twelve years one Madathi claiming herself to the sister of Madasamy had given a representation to the 1st respondent inter alia requesting



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him to cancel the sale deed executed vide document Nos.1348/2007, 1879/2009 and 238/2010 on the ground that the said documents have been executed through impersonation and she being the original owner did not execute those documents.

2.5.The 1st respondent conducted an enquiry purportedly under Section 77 of the Registration Act. On the basis of the circular dated 08.11.2017, the IG of Registration had made an endorsement that the aforesaid documents are fraudulent documents. Challenging the aforesaid order, the Corporate Debtor had filed an appeal before the 2nd respondent inter alia contending that the District Registrar has no jurisdiction to cancel the sale deed or to make any endorsement and the Civil Court alone has got the jurisdiction to decide the same. The said appeal was heard by the 2nd respondent who had passed the impugned order upholding the order of the 1st respondent.

3.Heard Mr.T.Ravichandran, Learned Counsel appearing for petitioner, Mr.S.Kameshwaran, Learned Government Advocate appearing for respondents 1 and 2, Mr.R.Karunanithi, Learned Counsel appearing for 3rd respondent and Mr.J.Gunaseelan Muthiah, Learned Counsel appearing for respondents 7 to 12 and perused the records.

4. Since Section 77 A of the Registration Act was struck down by the



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Hon'ble Division Bench of this Court, the official respondents cannot conduct any enquiry or entertain any appeal. Therefore, the impugned orders, dated 27.06.2022 and 29.04.2024, are passed without any jurisdiction.

5. Therefore, the appropriate remedy to the petitioner is to approach the competent Civil Court. Both the impugned orders, dated 27.06.2022 and 29.04.2024, are passed without jurisdiction. Hence, both the orders are non-est in the eye of law. The petitioner is at liberty to approach the competent Civil Court at the earliest, if so advised.

6. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

16.04.2026

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

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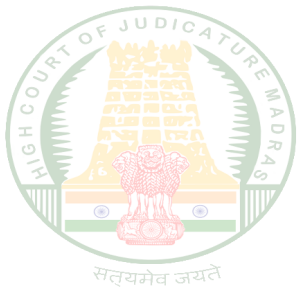


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To

1. The District Registrar,
No.29, 3rd Street,
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2. The Deputy Inspector General Of Registration,
PPG7 + 6Q4, Kokkirakulam,
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S.SRIMATHY, J.

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ORDER MADE IN

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DATED : 16.04.2026