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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No.42544 of 2025

M/s Southern Wind Farms Limited,
Represented By An Authorised Signatory
Mr.K.Nithin Sarathy,
No.11/1 (8/1) Plot No. C-87, 80th Street,
18th Avenue, Ashok Nagar, Chennai 600 083.

Petitioner(s)

Vs

1.The Deputy Inspector General Of Registration,
Coimbatore Zone, No.6/1 GRD Road,
Red Fields, Coimbatore,
Tamil Nadu 641 018.

2.The District Registrar,
District Revenue Office,
No.1/529, Nerupperihchal Village,
Pooluvapatti Postal, Tirupur 641 602.

3.The Sub Registrar,
O/o Sub Registrar,
No 21, Katcheri Street, Taluk Office Campus,
Udumalpet, Coimbatore 642 126.

4.M/s.NEPC India Limited,
Represented By Its Director,
Mr.Kemka
36, Wallahabath Road, Police Quarters,
Tirplicane, Chennai 600 002.

Respondent(s)

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PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the respondent Nos.1 to 3 to take appropriate actions to conduct an effective enquriy and pass a detailed order, directing the 3rd respondent to not to receive or register any document without written consent of the petitioner Company and also to make an entry of the Arbitral Award dated 10.12.2019 in his encumbrance certificate pertaining to the lands comprised in Survey Nos.39/2A (0.54 Acres), 44/1A (0.06 Acres), 41 /B1 (2.47 Acres), 41/B2 (0.16Acres), 41/B3 (0.43 Acres), 42 (2.92.Acres), 109/A1 (2.41 Acres), 109/A2 (2.49 acres), 117 (2.44 Acres), 120/4 (0.37 Acres), 121/1 (1.65 Acres) and 127/B (1.15 Acres) admeasuring to total extent Acres 17.09 cents, situated at Gudimanglama Village, Udumalpet Taluk, Tiruppur District and the lands comprised in Survey No.257 measuring an extent of 10.06 Acres, situated at Aathukinathupatti Village, Udumalpet Taluk, Tiruppur District as per the protest petition dated 09.09.2025, within a time period to be stipulated by this Court.

For Petitioner(s): Mr.R.Murali

For Respondent: Mr.U.Baranidharan
Special Government Pleader for R1 to R3

ORDER

Today the matter is listed under the caption “For Being Mentioned”, at the instance of the learned counsel for the petitioner.

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2.Learned counsel for the petitioner would submit that through the Arbitral Award dated 10.12.2019, the land to an extent of 10.06 acres situated at Udumalpet Taluk, Tiruppur Districy and the land to an extent of acres 17.09 cents situated at Gudimangalam Village Udumalpet Taluk, Tiruppur District, was declared in favour of the petitioner. Based on which the present writ petition filed seeking to restrain the 4th respondent from registering the aforesaid 10.06 acres and acres 17.09 cents of land in favour of third parties. However, in the order of this Court dated 12.11.2025, inadvertently the land to an extent of acres 17.09 cents has not been reflected. Hence, he prayed to add acres 17.09 cents of land in paragraph Nos.3, 4, 5 & 7, in the order of this Court dated 12.11.2025.

3.In view of the above submissions, the Paragraph Nos.3, 4, 5 and 7 are modified as follows:-

> “3.Learned counsel for the petitioner would submit that the 4th respondent respondent entered into a Slum Sale Agreement dated 16.01.2006 with the petitioner to sell its Wind Energy Division, together with all its assets and immovable properties situated at Gudimangalam Village to an

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extent of acres 17.09 cents and Aathukinathupatti Village to an extent of 10.06 acres at Udumalpet Taluk, Tiruppur District, for a sale consideration of Rs.135 Crores. Thereafter, since the 4th respondent Company had suppressed a large number of liabilities, the petitioner Company was forced to enter into an Amended Slum Sale Agreement dated 26.06.2006, wherein the sale consideration was amended to Rs.169.12 Crores. Due to the various unanticipated dispute arose between the parties, the 4th respondent invoked arbitration clause and initiated arbitration before the Arbitral Tribunal, who passed an award dated 10.12.2019, dismissing the claims of the 4th respondent and partly allowed the counter claims of the petitioner. Based on the said Arbitral Award a declaration was made and by virtue of the said declaration the land to an extent of 10.06 acres situated at Udumalpet Taluk, Tiruppur District and the land to an extent of acres 17.09 cents situated at Gudimangalam Village, Udumalpet Taluk, Tiruppur District belongs to the petitioner herein.

4.He would further submit that the 4th respondent has challenged the said Arbitral Award dated 10.12.2019 before this Court, wherein no interim order has been passed. Even then, the 4th respondent making constant efforts to transfer the land out of the said 10.06 acres & acres 17.09 cents in favour of some third parties. Aggrieved by the acts of the 4th respondent, the petitioner Company filed a Protest Petition dated 04.11.2023 and 09.09.2025 before the 3rd respondent.

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Further, the petitioner made several representations before the 3rd respondent requesting that the Arbitral Award dated 10.12.2019 be duly reflected in the Encumbrance Certificate relating to the lands at Gudimangalam Village to an extent of acres 17.09 cents and Aathukinathupatti Village to an extent of 10.06 acres at Udumalpet Taluk, Tiruppur District. However, the 3rd respondent has not taken any steps in this regard. Hence, the present writ petition is filed.

5.Learned Special Government Pleader appearing for the respondents 1 to 3 would submit that petitioner's objection to register the document pertaining to the subject property presented by the 4th respondent in favour of any third parties will be taken into consideration in the event any such sale deed presented regarding the said 10.06 acres and acres 17.09 cents of land, until then, they have to defer the enquiry since there is no cause of action arises. If any such document is presented by the 4th respondent regarding the said 10.06 acres of land, the 3rd respondent will issue notice to the petitioner and after conducting enquiry, a decision will be taken. However, as regards the Arbitral Award dated 10.12.2019, the petitioner has to presented the same for registration and once it is presented, the 3rd respondent will take steps to register the same.

7.Considering the submissions made by either parties, this Court is of the view that as rightly contended by the

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learned Special Government Pleader, in order to register the Arbitral Award dated 10.12.2019, the petitioner has to present the same before the 3rd respondent and in case, the petitioner presented the Arbitral Award dated 10.12.2019, the 3rd respondent is directed to take necessary steps to register the same, if it is otherwise in order. As regards the protest petition dated 09.09.2025, the Official Respondents cannot take action and conduct enquiry without any cause of action. In the event, the 4th respondent presented any document in favour of the third parties regarding the aforesaid 10.06 acres and acres 17.09 cents of land, the 3rd respondent is directed to issue notice to the petitioner and the other parties concerned and after conducting enquiry shall take appropriate decision."

4.The Registry is directed to substitute the aforesaid paragraphs Nos.3,4,5 & 7 in the order dated 12.11.2025 and issue fresh order copy.

28-11-2025

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Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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To

1.The Deputy Inspector General Of
Registration,
Coimbatore Zone No 6/1 GRD Road,
Red Filelds, Coimbatore,
Tamil Nadu 641 018.

2.The District Registrar,
District Revenue Office,
No 1/529 Nerupperihchal Village,
Pooluvapatti Postal, Tirupur 641 602.

3.The Sub Registrar,
O/o Sub Registrar No 21,
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KRISHNAN RAMASAMY J.

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