

PANEL OF RECOVERY OFFICERS
APPOINTED UNDER SECTION 28A OF THE SEBI ACT, 1992
DISCHARGING FUNCTIONS IN TERMS OF THE ORDERS PASSED BY
THE HON'BLE SUPREME COURT OF INDIA DATED 08.08.2024 AND
19.02.2026
IN THE MATTER OF PACL LTD.

IA No.	I.A. No. 2923 of 2023, I.A. No. 2937 of 2023 and I.A. No. 2940 of 2023
File No.	SEBI/PACL/OBJ/PP/00807/2026
Name of the Objector(s)	1. Smt. Saraswathi 2. Mr. J. Balamurugan 3. Mr. S. Sendilnaathan 4. Mr. P. Sivan
MR No.	15193/16

Background:

1. Securities and Exchange Board of India (hereinafter referred to as “SEBI”) on August 22, 2014 had passed an order against PACL Limited, its promoters and directors, *inter alia*, holding the schemes run by PACL Ltd. as Collective Investment Scheme (“CIS”) and directing them to refund the amounts collected from the investors within three months from the date of the order. Vide the said order, it was also directed that PACL Ltd. and its promoters/ directors shall not alienate or dispose of or sell any of the assets of PACL Ltd. except for the purpose of making refunds as directed in the order.
2. The order passed by SEBI was challenged by PACL Ltd. and four of its directors by filing appeals before the Hon’ble Securities Appellate Tribunal (“SAT”). The said appeals were dismissed by the Hon’ble SAT vide its common order dated August 12, 2015, with a direction to the appellants to refund the amounts collected from the investors within three months. Aggrieved by the order dated August 12, 2015 passed by the Hon’ble SAT, PACL Ltd. and its directors had filed appeals before the Hon’ble Supreme Court of India.



3. The Hon'ble Supreme Court did not grant any stay on the aforementioned impugned order dated August 12, 2015 of the Hon'ble SAT; however, PACL Ltd. and its promoters/ directors did not refund the money to the investors. Accordingly, SEBI initiated recovery proceedings under Section 28A of the SEBI Act, 1992 against PACL Ltd. and its promoters/ directors vide recovery certificate no. 832 of 2015 drawn on December 11, 2015 and as a consequence thereof, all bank/ demat accounts and folios of mutual funds of PACL Ltd. and its promoters/ directors were attached by the Recovery Officer vide attachment order dated December 11, 2015.
4. During the hearing on the aforesaid civil appeals filed by PACL Ltd. and its directors (Civil Appeal No. 13301 of 2015 – *Subrata Bhattacharya Vs. SEBI* and other connected matters), the Hon'ble Court vide its order dated February 02, 2016 directed SEBI to constitute a committee under the Chairmanship of Hon'ble Mr. Justice R.M. Lodha, the former Chief Justice of India (hereinafter referred to as "the Committee") for disposing of the land purchased by PACL Ltd. so that the sale proceeds can be paid to the investors, who have invested their funds in PACL Ltd. for purchase of the land. In the said civil appeals, the Hon'ble Supreme Court did not grant any stay on the orders passed by SEBI and the Hon'ble SAT. Therefore, directions for refund and direction regarding restraint on the PACL Ltd. and its promoters and directors from disposing, alienating or selling the assets of PACL Ltd., as given in the order, continue till date.
5. The Committee has from time to time requested the authorities for registration and revenue of different states to take necessary steps and issue necessary directions to Land Revenue Officers and Sub-registrar offices, to not effect registration/mutation/sale/transfer, etc. of properties wherein PACL Ltd. and/ or its group or its associates have, in any manner, right or interest.
6. Further, the Hon'ble Supreme Court vide its order dated July 25, 2016 restrained PACL Ltd. and/ or its Directors/Promoters/agents/employees/Group and/or associate companies from, in any manner, selling/transferring/alienating any of the properties wherein PACL Ltd. has, in any manner, a right/interest situated either within or outside India.
7. In the recovery proceedings mentioned in para 3 above, the Recovery Officer issued an attachment order dated September 07, 2016 against 640 associate companies of PACL Ltd. In the said order, *inter alia*, the registration authorities of all States and Union Territories were requested not to act upon any documents purporting to be dealing with transfer of properties



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by PACL Ltd. and / or the group/ associate entities of PACL Ltd. mentioned in the Annexure to the said attachment order, if presented for registration.

8. The Hon'ble Supreme Court, vide its order dated November 15, 2017, passed in Civil Appeal No. 13301/2015 and connected matters directed that all the grievances/ objections pertaining to the properties of PACL Ltd. would be taken up by Shri R.S. Virk, District Judge (Retd.).
9. On April 30, 2019, in the recovery proceedings initiated against PACL Ltd. and Ors., the Recovery Officer issued a notice of attachment in respect of 25 front companies of PACL Ltd. Thereafter, on March 01, 2021, the Recovery Officer issued another notice of attachment in respect of 32 associate companies of PACL Ltd., which included 25 front companies of PACL Ltd. whose accounts were attached vide order dated April 30, 2019.
10. The Hon'ble Supreme Court vide order dated 08.08.2024, in Civil Appeal No. 13301 of 2015 – *Subrata Bhattacharya Vs. SEBI* and other connected matters has directed as under:

“.....10. Since, we had directed in our order dated 25.07.2024, that no fresh applications or objections shall be filed before or entertained by Shri R.S. Virk, District Judge (Retd.) and that the same shall be filed before the Committee, the Committee may deal with such applications/objections, if filed before it, and dispose them of as per the provisions contained under Section-28(A) of the SEBI Act.....”

11. In compliance with the aforesaid order dated August 08, 2024 passed by the Hon'ble Supreme Court, all objections with respect to properties of PACL Ltd., which were pending before Shri R.S. Virk, District Judge (Retd.) and all new objections, are now to be dealt by the Recovery Officers attached to the Committee.
12. Subsequently, the Hon'ble Supreme Court, vide order dated February 19, 2026, in the matter of *Subrata Bhattacharya vs. SEBI (Civil Appeal No. 13301 of 2015)* directed, inter alia, that all interlocutory applications/Transferred Cases falling under Category B, i.e. 106 sets of Interlocutory Applications, filed against the recommendations of Shri R.S. Virk, District Judge (Retd.) dismissing the objections raised by the Applicants, be placed before the Recovery Officers appointed under Section 28A of the SEBI Act, 1992. Accordingly, the set of 106 Interlocutory Applications, including the instant applications, is now to be examined by the Recovery Officers appointed under Section 28A of the SEBI Act, 1992, in the matter of PACL

Ltd.



Present Interlocutory Applications (I.As.):

13. The present I.As. have been filed by (i) Smt. Saraswathi w/o Mr. Madasamy Thevar, residing at D. No. 108, South Street, K. Venkateswarapuram Village, Gurumalai Panchayat, Kovilpatti Taluk, Thoothukudi District, Tamil Nadu (hereinafter referred to as “**Applicant No. 1**”); (ii) Mr. J. Balamurugan s/o Mr. Jeyaram, residing at D. No. 157, Middle Street, K. Venkateswarapuram Village, Gurumalai Panchayat, Kovilpatti Taluk, Thoothukudi District, Tamil Nadu (hereinafter referred to as “**Applicant No. 2**”); (iii) Mr. S. Sendilnaathan s/o (late) Mr. A. Srinivasan, residing at D. No. 513, 1st Street, Venkatesh Nagar, Kathiresan Kovil Road, Kovilpatti Town and Taluk, Thoothukudi District, Tamil Nadu (hereinafter referred to as “**Applicant No. 3**”); and (iv) Mr. P. Sivan s/o (late) Mr. Paramasivam, residing at D. No. 261, Nadu Street, K. Venkateswarapuram Village, Kurumalai Panchayat, Kovilpatti Taluk, Thoothukudi District, Tamil Nadu (hereinafter referred to as “**Applicant No. 4**”) (Applicant Nos. 1 to 4 hereinafter collectively referred to as the “**Objectors/Applicants**”), challenging the orders dated October 28, 2022 passed by Shri R.S. Virk, District Judge (Retd.) in File Nos. 924, 925, 926 and 929 (hereinafter referred to as the “**impugned orders**”). The impugned orders dismissed the objections filed by the Objectors/Applicants seeking release of their lands from attachment by the Committee. The properties in question comprise agricultural dry lands admeasuring, in the aggregate, 10 acres 92.5 cents, comprised in Survey No. 154/3B (91.5 cents), Survey No. 112/4 (1 acre 80 cents), Survey No. 128/3 (91 cents), Survey No. 132/2 (98 cents), Survey No. 110/2 (5 acres 32 cents) and Survey No. 110/3 (1 acre) all situated at Kurumalai Village, Kovilpatti Taluk, Thoothukudi District, Tamil Nadu (hereinafter referred to as the “**impugned properties**”).

14. It is the case of the Objectors/Applicants, as submitted, that each of them purchased their respective parcel from one Smt. V. Padmavathi w/o Mr. C. Varadharaju and d/o Mr. N. Ellappa Naicker, by separate registered Sale Deeds executed and registered before the Sub-Registrar, Kadambur, and that they have been in continuous and uninterrupted possession of their respective parcels since the dates of their purchase. It is further stated by the Objectors/Applicants that the impugned properties formed part of Patta No. 305 standing in the name of their vendor, Smt. V. Padmavathi, daughter of Mr. N. Ellappa Naicker, having devolved upon her ancestrally and having been allotted to her in an oral partition in the family. On obtaining Encumbrance Certificates in December 2012 for the purpose of raising a loan, the Objectors/Applicants and their vendor learnt for the first time that a person describing herself as “Padmavathi w/o Ramasamy Naickkar and d/o Ellappa Naickkar” had, by registered



Sale Deed No. 899/2006 dated September 12, 2006, purported to convey an extent of 22 acres 66 cents comprised in Patta No. 305 to one Mr. Shirishachandra Das; that no person with the description “Padmavathi w/o Ramasamy” resides in the village; that their vendor is in the habit of signing her name whereas the executant of the 2006 deed affixed a thumb impression; and that the two women hold different Voter Identity Cards.

15. The particulars of the purchases, as pleaded in the I.As., are as under:

Sr.	Objector/Applicant	Sale Deed No. & Date	Survey No.(s) and extent	Consideration (Rs.)
1.	Smt. Saraswathi (Applicant No. 1)	583/2007 dated 31.05.2007	154/3B (91.5 cents)	9,150
2.	Mr. J. Balamurugan (Applicant No. 2)	234/2009 dated 02.03.2009	112/3 (80 cents); 112/4 (1 acre 80 cents) (total 2 acres 60 cents)	52,800
3.	Mr. S. Sendilnaathan (Applicant No. 3)	437/2007 dated 03.04.2007	128/3 (91 cents); 132/2 (98 cents) (total 1 acre 89 cents)	18,900
4.	Mr. P. Sivan (Applicant No. 4)	438/2007 dated 03.04.2007	110/2 (5 acres 32 cents); 110/3 (1 acre) (total 6 acre 32 cents)	63,100
TOTAL				1,43,950

16. Upon learning of the attachment of the impugned properties, the Objectors/Applicants filed objections dated March 09, 2022 before Shri R.S. Virk, District Judge (Retd.), which came to be registered as File Nos. 924, 925, 926 and 929 respectively, *inter alia*, seeking release and de-listing of the impugned properties from the attachment. Upon receiving the objections, notice was issued to PACL Ltd. by Shri R.S. Virk, District Judge (Retd.) in all the objections.

17. PACL Ltd., in its replies dated April 28, 2022, *inter alia*, contended that it had purchased land admeasuring 22 acres 66 cents in the name of its individual, Mr. Shirishachandra Das s/o Mr. Purnachandra Das, resident of Damuri Village, Uphal Gadia Grama Panchayat, Suliapada Post, Mayurbhanja District, Orissa, acting through his General Power of Attorney holder Mr. Sanjay Kumar Sahoo s/o Mr. Ghasinath Sahoo, from Ms. Padmavathi w/o Ramasamy Naickkar, resident of Door No. 3/40, Venkatachalapuram Village, Kurumalai Panchayat, Kovilpatti Taluk, Tuticorin District, Tamil Nadu, through registered Sale Deed No. 899/2006 dated



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September 12, 2006; that the said Sale Deed was seized by the Central Bureau of Investigation (“CBI”) from PACL Ltd. and stands marked under MR No. 15193/16; that PACL Ltd. had not received any information pertaining to the civil suits filed by the Objectors/Applicants or the decrees passed therein; and that the land was purchased out of the funds of PACL Ltd. and has not been sold by the Company.

18. The objections were heard by Shri R.S. Virk, District Judge (Retd.) and the impugned orders dated October 28, 2022 was passed dismissing them, *inter alia*, on the following grounds: (i) that there were discrepancies between the description of the parties in Sale Deed No. 899/2006 and their description in the plaints and decrees in the civil suits relied upon by the Objectors/Applicants; (ii) that no declaration having been sought on the question of identity of the vendor in the suits, and having regard to the said discrepancies, the ex parte decrees “can thus be considered to have been obtained fraudulently and [are] thus a nullity”; (iii) that the recovery of the original Sale Deed No. 899/2006 by the CBI from the custody of PACL Ltd. lent credence to the claim of PACL Ltd. that Mr. Shirishachandra Das was its associate, applying the parameters governing a plea of benami transaction enumerated in *Jaydayal Poddar v. Bibi Hazra*, (1974) 1 SCC 3 and reiterated in *Valliammal (D) by LRs v. Subramaniam & Ors.*, (2004) 7 SCC 233, and in particular the circumstances of the source from which the purchase money came and the custody of the title deeds after the sale; and (iv) that the Pattas standing in the names of the Objectors/Applicants do not confer title, mutation being merely an entry in the revenue records which does not by itself establish ownership.

19. Aggrieved by the impugned orders, the Objectors/Applicants filed the present I.As. before the Hon’ble Supreme Court in Civil Appeal No. 13301 of 2015. The Hon’ble Supreme Court, vide order dated February 19, 2026, while taking note of the segregation of the interlocutory applications into five distinct categories, i.e. Category A to E, directed that Category B applications, being 106 applications filed against the recommendations/orders of Shri R.S. Virk, District Judge (Retd.) dismissing the objections, be placed before the Recovery Officers appointed under Section 28A of the SEBI Act, 1992, for examination.

20. Upon perusal of the I.As. and the documents annexed thereto, it is noted that the Objectors/Applicants have, *inter alia*, contended as under:

- a. That they are *bona fide* purchasers for value of the impugned properties, having purchased the same by registered Sale Deeds from the true and lawful owner thereof,



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after payment of the entire sale consideration and of the requisite stamp duty and registration fees;

- b. That their vendor, Smt. V. Padmavathi w/o Mr. C. Varadharaju, is the daughter of Mr. N. Ellappa Naicker and the person in whose favour Patta No. 305 stands in the revenue records of the Government of Tamil Nadu, the impugned properties having devolved upon her from her father and having been allotted to her, while still a minor, in an oral partition in the family;
- c. That the person who executed Sale Deed No. 899/2006 dated September 12, 2006 in favour of Mr. Shirishachandra Das was not their vendor at all, but a different person who impersonated their vendor as no person named "Padmavathi w/o Ramasamy Naickkar" resides, or has resided, in the village, and that the husband of their vendor is, and has always been, Mr. C. Varadharaju; and that the executant of Sale Deed No. 899/2006 affixed her thumb impression to that deed, whereas their vendor signs her name, as she has done on each of the four Sale Deeds executed by her in their favour;
- d. That each of the Objectors/Applicants, together with their vendor, instituted a suit in the Court of the District Munsif, Kovilpatti for a declaration that Sale Deed No. 899/2006 is null and void and for a permanent injunction; that the executant of that deed and Mr. Shirishachandra Das, though impleaded as defendants, never appeared and were set ex parte; that the suits were decreed on September 23, 2013; and that the decrees have never been challenged and remain in force;
- e. That at the time of execution of their Sale Deeds the office of the Sub-Registrar did not contain, and did not notify to them, any information as to which survey numbers were connected with PACL Ltd. or prohibited from registration; and
- f. That PACL Ltd. never obtained mutation of the revenue records, never paid land tax and was never in possession of the impugned properties, and that the name of PACL Ltd. does not appear in the Encumbrance Certificates at any point.

21. The Objectors/Applicants have thus, *inter alia*, prayed:

- a. To set aside the order dated October 28, 2022 passed by Shri R.S. Virk, District Judge (Retd.) in File Nos. 924, 925, 926 and 929;



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- b. To direct the appropriate authorities to release the Objectors/Applicants' properties from the list of properties attached in the matter of PACL Ltd.; and
- c. Not to create third party rights in respect of the schedule properties of the Objectors/Applicants as mentioned in File Nos. 924, 925, 926 and 929.

22. In compliance with the order dated February 19, 2026 of the Hon'ble Supreme Court, the Objectors/Applicants were granted an opportunity of hearing before this Panel of Recovery Officers ("Panel") on April 7, 2026 and May 05, 2026. The hearing was attended by the Authorised Representative ("AR") of the Objectors/Applicants, virtually, who reiterated the averments made in the I.As. and in the objection petitions filed before Shri R.S. Virk, District Judge (Retd.).

23. Subsequent to the hearing dated April 7, 2026, the Objectors/Applicants were advised to submit the translated copies of the documents placed on record, which were eventually submitted vide email dated May 2, 2026. Subsequently, after the hearing dated May 05, 2026, the AR was directed to furnish (i) the comments and clarification of the Objectors/Applicants on Sale Deed No. 899/2006 dated September 12, 2006 and on the MR document bearing No. 15193/16; (ii) scanned copies of government documents such as the Family Card, Ration Card, Voter ID, Aadhaar card, PAN card, bank pass book cover page and post office pass book cover page, establishing the credentials and identity of Padmavathi and disclosing both her father's name and her husband's name; and (iii) the like documents establishing the credentials and identity of Mr. Varatharaju.

24. In compliance with the said directions, the Objectors/Applicants, vide e-mail dated May 13, 2026, filed a compilation comprising a true copy of Sale Deed No. 899/2006 dated September 12, 2006 together with its typed version as appearing in MR No. 15193/16, and six government-issued documents pertaining to their vendor. Further, certain clarifications pertaining to the discrepancies in the name of the vendor's husband was sought along with direction to submit the death certificate of the vendor's father, latest property tax receipts and proof of payments made towards the purchase of the property. In view of the same, vide email dated August 17, 2026, the requisite documents along with clarification was provided by the AR of the Objectors/Applicants.

25. In order to decide the objections, the Panel has perused the documents placed on record, including the I.As. and the annexures thereto, the impugned orders dated October 28, 2022 in



File Nos. 924, 925, 926 and 929, the objection petitions dated March 09, 2022, the replies of PACL Ltd. dated April 28, 2022, the MR documents under MR No. 15193/16, the four registered Sale Deeds of the Objectors/Applicants, the Encumbrance Certificates, the Pattas and land tax receipts, the certified copies of the decrees of the Court of the District Munsif, Kovilpatti, the compilation of identity documents filed on May 13, 2026, and the submissions advanced at the hearing on May 05, 2026. The principal documents so perused are set out below:

Sr.	Document	Executed by	In favour of
1	Registered Sale Deed No. 899/2006 dated September 12, 2006 (attached under MR No. 15193/16), with certified translation and typed version	Padmavathi w/o Ramasamy Naickkar	Mr. Shirishachandra Das, through his GPA holder Mr. Sanjay Kumar Sahoo
2	Registered Sale Deed No. 583/2007 dated May 31, 2007, with certified translation	Smt. V. Padmavathi w/o C. Varadharaju, through her power agent Smt. S. Renugadevi	Smt. Saraswathi (Applicant No. 1)
3	Registered Sale Deed No. 234/2009 dated March 02, 2009, with certified translation	Smt. V. Padmavathi w/o C. Varadharaju	Mr. J. Balamurugan (Applicant No. 2)
4	Registered Sale Deed No. 437/2007 dated April 03, 2007, with certified translation	Smt. V. Padmavathi w/o C. Varadharaju	Mr. S. Sendilnaathan (Applicant No. 3)
5	Registered Sale Deed No. 438/2007 dated April 03, 2007, with certified translation	Smt. V. Padmavathi w/o C. Varadharaju	Mr. P. Sivan (Applicant No. 4)
6	Encumbrance Certificates for all impugned Survey Nos.	Registration Department, Government of Tamil Nadu, Sub-Registrar's Office, Kadambur	The impugned properties
7	Certified copies of the judgments and decrees dated September 23, 2013 in O.S. Nos. 16, 26, 27 and 28 of 2013, registered at the Sub-Registrar's Office, Kadambur on December 23, 2013	Court of the District Munsif, Kovilpatti	The Objectors/Applicants and Smt. V. Padmavathi (plaintiffs)
8	Pattas and Land Title Details	Revenue Department, Government of Tamil Nadu	The Objectors/Applicants



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Sr.	Document	Executed by	In favour of
9	Land tax receipts for Patta No. 305	Village Administrative Officer, Kurumalai	Smt. V. Padmavathi
10	Secondary School Leaving Certificate and other government Identity Cards	Government Departments	E. Padmavathy, W/o Varatharaju and d/o N. Ellappa Naicker

26. The document attached under MR No. 15193/16 is registered Sale Deed No. 899/2006 dated September 12, 2006, the original whereof was seized by the CBI from the custody of PACL Ltd. on August 14, 2015. The particulars of the attachment are as under:

MR No.	Description of document	Seller	Buyer	Property as per Schedule	Consideration (Rs.)
15193/16	Registered Sale Deed No. 899/2006 dated September 12, 2006	Padmavathi w/o Ramasamy Naickkar and d/o Ellappa Naickkar	Mr. Shirishachandra Das s/o Mr. Purnachandra Das, through his GPA holder Mr. Sanjay Kumar Sahoo (GPA Doc. No. 367/2006 dated August 21, 2006, SRO Thirupparankun dram)	22 acres 66 cents of agricultural dry land in Kurumalai Village, Kovilpatti Taluk, Tuticorin District, comprised in Survey Nos. 110/2, 110/3, 112/4, 128/3, 132/2, 154/3B and 21, all under Patta No. 305	2,26,600 (in cash)

27. The survey-wise break-up of the extent covered by the said Sale Deed, as set out in its Schedule under the MR, is as under:

Sr.	Survey No.	Extent (Acres)	Consideration (Rs.)
1	110/2	5.32	53,200
2	110/3	1.00	10,000
3	112/4	1.80	18,000
4	128/3	0.91	9,100
5	132/2	0.98	9,800
6	154/3B	1.84	18,400
7	21	10.81	1,08,100
		22.66	2,26,600



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28. Besides the Sale Deed itself, the documents produced under MR No. 15193/16 contains the title-verification papers of 2006 acquisition, namely (i) a legal opinion dated September 12, 2006 rendered by Mr. D. Pradap, Advocate, Madurai; (ii) Patta No. 305 dated August 24, 2006 issued by the Revenue Department, Government of Tamil Nadu; (iii) a Patta Pass Book; (iv) Elector Photo Identity Card No. JQH2158445; and (v) land tax receipts. The bundle further contains title papers relating to other, unconnected pattas and vendors in Kurumalai Village and in Irukkankudi Village, Veerachozhan Sub-Registration District, Virudhunagar District, which do not form the subject matter of the present I.As. and which the Panel has accordingly left out of consideration.

29. Here, it is important to refer to the order dated February 19, 2026 passed by the Hon'ble Supreme Court wherein, while directing that the Category B applications be dealt with by the Recovery Officers appointed under Section 28A of the SEBI Act, 1992, the Hon'ble Supreme Court has specifically stated as under:

"12. In view of the fact that the said applications are pending for a long time, we accordingly direct: (iii) The remit of the Recovery Officers shall be confined to determining whether the properties subject matter of such applications, were in fact purchased by PACL Limited or relatable to its associate entities, subsidiaries or sister concerns and whether the Applicants establish, on the basis of documentary materials & evidence, that the properties are held by them in their independent capacity. (vi) A party will not be denied a claim over a property solely for the reason, that at one point and time the property was owned by PACL or its associated entities and it is not clear as to what were the source of funds used by PACL & its sister entities, as the case may be, to purchase the properties, if otherwise it is clear that the party is a bonafide purchaser for value having actually paid the amounts through banking channels."

30. In terms of para 12(iii) of the said order, the remit of this Panel extends not merely to determining whether the properties were purchased by PACL Ltd. or are relatable to its associate entities, but equally to determining whether the Objectors/Applicants establish, on the basis of documentary material and evidence, that the properties are held by them in their independent capacity. In the present matter, even assuming, without deciding, that the 2006 transaction was an acquisition relatable to PACL, the Objectors/Applicants have to independently establish that the deed did not convey title because the executant lacked title.



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31. However, in the present case, the Objectors/Applicants neither dispute the source of the funds employed in the transaction of 2006, nor the relationship between Mr. Shirishachandra Das and PACL Ltd. It is that the person who executed Sale Deed was not the owner of the property at all, but a stranger who assumed the name and description of their vendor, and that the said deed therefore conveyed nothing whatsoever. The Panel has, accordingly, addressed itself first to the question of identity.
32. On the question of identity of the vendor of the Objectors/Applicants and the person executing the Sale Deed No. 899/2006, it is noted that both the person bears the name Padmavathi. The one who executed Sale Deed No. 899/2006 described herself as the daughter of Ellappa Naickkar and the wife of Ramasamy Naickkar, living at Door No. 3/40, Venkatachalapuram Village, Kurumalai Panchayat, Kovilpatti Taluk, Tuticorin District. She held Elector Photo Identity Card No. JQH2158445 dated March 31, 2006, which gives her husband as Ramasamy Naicker. She had put her left thumb impression on the Sale Deed.
33. On the other hand, as submitted, the vendor of the Objectors/Applicants is also the daughter of N. Ellappa Naicker, but her husband is C. Varadharaju, living at Door No. 3/4A, North Street, Inam Maniyachi Village, Kovilpatti Taluk, Thoothukudi District. Her Elector Photo Identity Card, Aadhaar card, ration card and bank account pass book are placed on record, each naming her husband as Varadharaju.
34. Pursuant to the direction of this Panel at the hearing on May 05, 2026, the Objectors/Applicants filed, vide e-mail dated May 13, 2026, government-issued documents relating to their vendor:
- a. Secondary School Leaving Certificate No. 20142 dated January 06, 1976, issued by St. Ignatius' Convent High School, Palayamkottai recording the pupil as "E. Padmavathy", the father as "N. Ellappa Naicker", the date of birth as June 03, 1960.
 - b. PAN Card- No. ADPPP0520J issued in the name "Ellappan Padmavathy", father "Ellappan", date of birth June 03, 1960.
 - c. Family Card No. 28W0027237 recording the family head as "Padmavati V", husband "Varadharaju", date of birth June 03, 1960, at D. No. 3/4A, North Street, Inam Maniyachi, Kovilpatti;
 - d. Elector Photo Identity Card No. RMM0125756 dated July 03, 2017 in the name "Pathmavathi", relation's name "Varatharaj", at the same address;



e. State Bank of India pass book for Account No. 10914603112, Sattur Branch, issued November 12, 2024, in the name “Padmavathi V”, W/o “Varatharaju”, at the same address, and

f. Aadhaar card in the name “Padmavathy V”, date of birth June 03, 1960, W/o Varadharaju, at the same address.

35. On perusal of the above mentioned documents, it is noted that the same date of birth appears independently in the School Leaving Certificate, PAN card, the Family Card and the Aadhaar card. The address recorded in the Family Card, the Elector Photo Identity Card, the bank pass book and the Aadhaar card, Door No. 3/4A, North Street, Inam Maniyachi, corresponds exactly with the address of the vendor as recited in the Sale Deeds of 2007 and 2009.

36. On the other hand, the person who executed Sale Deed No. 899/2006 described herself as the wife of Ramasamy Naickkar, and the only identity document available on record forming part of the MR documents is Elector Photo Identity Card No. JQH2158445. It is further to be noted that the executant of Sale Deed No. 899/2006 affixed her left thumb impression on the deed. The vendor of the Objectors/Applicants, by contrast, has signed each of the four Sale Deeds executed by her.

37. The Panel further notes that the computer Patta No. 305 forming part of the MR documents identifies the pattadhar solely as “Ellappa Nayakkar – Daughter – Padmavathi” and is silent as to her husband. The name of the husband recorded in the deed of 2006, Ramasamy Naickkar, finds no support in any record available with the MR documents; whereas every government record of the Objectors/Applicants’ vendor, the Family Card, the Elector Photo Identity Card, the bank pass book and the Aadhaar card, names her husband as Varadharaju.

38. The legal opinion dated September 12, 2006 forming part of the MR documents was based on the documents made available to the Advocate. The advocate examined the “A” Register extract, the computer Patta, the Patta Pass Book, an Identity Card, the FMB, the village map and Encumbrance Certificate No. 566/2006 dated August 18, 2006 covering the period January 01, 1988 to August 13, 2006, and concluded that the title “in the hands of the pattadhar, Padmavathi, is clear and marketable”. The opinion thus proceeded on the basis of the revenue and other title documents identifying a pattadhar named Padmavathi. It did not, however, independently establish that the person who presented herself as the pattadhar and executed Sale Deed No. 899/2006 was in fact the same Padmavathi reflected in those records.



39. Further, it is also submitted by the Objectors/Applicants that upon discovering the existence of Sale Deed No. 899/2006 in December 2012, the Objectors/Applicants and their vendor instituted suits in the Court of the District Munsif, Kovilpatti for a declaration that the said deed is null and void and for a permanent injunction. In each suit the purchaser under his or her own registered Sale Deed was arrayed as the first plaintiff and Smt. V. Padmavathi (vendor) as the second plaintiff, while the executant of Sale Deed No. 899/2006 was arrayed as the first defendant and Mr. Shirishachandra Das as the second defendant.
40. The defendants in each of the said suits having remained absent, they were set ex parte, and the Court, by its judgment and decree dated September 23, 2013, declared Sale Deed No. 899/2006 dated September 12, 2006 to be null and void as against the plaintiffs, upheld the plaintiffs' respective Sale Deeds, and granted a permanent injunction restraining interference with the plaintiffs' possession. The decrees were thereafter registered and they appear as such in the Encumbrance Certificates issued by the Registration Department, Government of Tamil Nadu, each recording the previous registration reference as document No. 899/2006. No proceeding has been taken by either defendant to set aside the said decrees.
41. With regard to the ownership over the impugned properties, the Objectors/Applicants have stated that each of them purchased his or her parcel by a registered Sale Deed executed by Smt. V. Padmavathi. Each Sale Deed recites the devolution of the property upon the vendor from her father and its inclusion in Patta No. 305 standing in her name; each records the payment of the consideration; and each is accompanied by a statement of market value furnished under Rule 3(1) of the Tamil Nadu Stamp (Prevention of Undervaluation of Instruments) Rules, 1968, upon which stamp duty and registration fees were paid. Further, they have also placed on record Patta details transferred in their name pursuant to their respective Sale Deeds along with latest tax receipts. The Pattas standing in the names of the Objectors/Applicants are as under:

Sr.	Objector/Applicant	Patta No.	Survey No.(s)
1.	Smt. Saraswathi (Applicant No. 1)	305	154/3B
2.	Mr. J. Balamurugan (Applicant No. 2)	1376	112/3 and 112/4
3.	Mr. S. Sendilnaathan (Applicant No. 3)	1360	128/3, 132/2 and 128/12
4.	Mr. P. Sivan (Applicant No. 4)	1464	110/2 and 110/3

42. Further, the Encumbrance Certificates issued by the Registration Department for the period commencing January 01, 1975 and January 01, 1987 do not disclose any subsisting interest of PACL or its associates.



43. As regards the mode of payment of consideration, the Objectors/Applicants have submitted, vide email dated August 17, 2026, that "...the applicants at the time of purchase or thereafter did not maintain bank account since the applicants are villagers and farmer they did not maintain any account.... All purchases are made by cash transactions...". In this regard, it is apposite to refer to the judgment dated September 01, 2025 of the Hon'ble Supreme Court in *Georgekutty Chacko v. M.N. Saji (Civil Appeal No. 11309 of 2025)*, wherein the Court observed as under:

"...it is not uncommon that in money transactions, there is a component of cash also involved and just because a person is not able to prove the transfer through official modes i.e., through any negotiable instrument or bank transaction, would not lead to the conclusion that such amount was not paid through cash especially when there was a categorical statement to this effect by the appellant before the Court concerned... A person who gives cash obviously would not be having any documentary proof per se..."

44. Applying the aforesaid principle, the payment of the consideration in cash cannot, by itself, be treated as suspicious or non-genuine. Payments made in cash, for small parcels of unirrigated dry agricultural land in a village of Tamil Nadu, does not by itself detract from the *bona fides* of the purchasers.

45. It is also pertinent that, on the material placed before this Panel, there is nothing whatsoever to suggest any nexus between the Objectors/Applicants and PACL Ltd. None of them is shown to be a shareholder, director, employee, agent, nominee or associate of PACL Ltd. or of any of its associate entities, and none is shown to have had any dealing, directly or indirectly, with PACL Ltd., with Mr. Shirishachandra Das, or with his power of attorney holder Mr. Sanjay Kumar Sahoo. They are agriculturists resident in K. Venkateswarapuram and Kovilpatti, and their connection with the impugned properties arises solely from their purchase, for value, from Smt. V. Padmavathi, who was and remains the recorded pattadhar. The absence of any such nexus reinforces the conclusion that the Objectors/Applicants hold the impugned properties in their independent capacity.

46. Having examined the title, this Panel has also considered whether the reasoning of the impugned orders would, notwithstanding the above, warrant sustaining the attachment. First, the impugned orders states rested substantially upon the discrepancies in the description of the



addresses of the parties as between Sale Deed No. 899/2006 and the complaints and decrees in the civil suits. On a consideration of the record, this Panel has noted that the variations noticed, for instance, “Venkatachalapuram” and “Venkateswarapuram”, “Kurumalai” and “Gurumalai”, “Tuticorin” and “Thoothukudi”, are variations in the English rendering of Tamil proper names. It is noted that they are transliteration variants of the same names, and not descriptions of different places, and are also demonstrated by the Government records i.e. the Encumbrance Certificates issued by the Registration Department in respect of the very same survey numbers describe the village as “Gurumalai” in the certificates issued in the year 2012 and as “Kurumalai” in those issued in the year 2022, while Patta No. 305 issued by the Revenue Department describes it as “Kurumalai”; and “Tuticorin” and “Thoothukudi” are, as is well known, the former and the present official English spellings of one and the same district. The variations are attributable to two major causes: (i) the transliteration of Tamil names and place-names into English; and (ii) minor spelling variations of the same word. Variations of this kind, standing alone, cannot displace the substantive documentary evidence of identity now on record.

47. The impugned orders also proceeded on the footing that no evidence had been brought on record to establish that the executant of the 2006 deed was not in fact the daughter of Ellappa Naickkar, and that the plaintiff Padmavathi w/o Varadharaj was the only daughter of that name. The Objectors/Applicants have now placed on record the Secondary School Leaving Certificate of 1976, the PAN card, the Family Card, the Elector Photo Identity Card of 2017, the bank pass book and the Aadhaar card of their vendor. Taken together, these establish that Smt. V. Padmavathi, born on June 03, 1960, is the daughter of N. Ellappa Naicker and the wife of Varadharaju, and that she is the person in whose favour Patta No. 305 stands.

48. Further, the impugned orders have applied the parameters governing a plea of benami transaction enumerated in *Jaydayal Poddar* (supra) and reiterated in *Valliammal* (supra) and, relying principally upon the source from which the purchase money came and the custody of the title deeds after the sale, concluded that Mr. Shirishachandra Das was an associate of PACL Ltd. For the purposes of these proceedings this Panel has, as recorded above, proceeded upon that very inference and has assumed it in favour of PACL Ltd. The inference does not, however, carry the matter to the conclusion drawn. Where the executant of the conveyance had no title to convey, the question of who provided the purchase money is beside the point. Even upon the case pleaded by PACL Ltd. taken at its highest, that the acquisition of 2006 was made in



the name of its authorised person and out of its funds, PACL Ltd. can have acquired no right, title or interest in the impugned properties, for the simple reason that the person who executed the deed in favour of its nominee had none.

49. The impugned orders further observed, relying upon *Annammal v. Ammavasai* (Madras High Court, R.S.A. No. 1505 of 2003, decided on October 25, 2010) and *Prabhagiya Van Adhikari, Awadh Van Prabhag v. Arun Kumar Bhardwaj* (Supreme Court, Civil Appeal No. 7017 of 2009, decided on October 05, 2021), that a patta or a mutation entry does not confer title. This Panel respectfully accepts the proposition, and notes that the Objectors/Applicants do not rest their title upon the Pattas standing in their names. Their title rests upon four registered Sale Deeds executed by the true owner of the property, supported by the Encumbrance Certificates issued by the Registration Department and by the decrees of the civil court. The Pattas and the mutation entries are relied upon, and are relevant, not as the source of title but as corroboration of it, and as evidence of the open and continuous assertion of ownership by the Objectors/Applicants over a period of many years.
50. It is further noted that Patta No. 305, being the very patta on the strength of which the transaction of 2006 was put through, identifies Smt. V. Padmavathi as the daughter of Ellappa Nayakkar. The revenue records placed on record also reflect the subsequent entries in respect of the portions purchased by the Objectors/Applicants. No mutation has been shown to have been effected in favour of Mr. Shirishachandra Das, or in favour of PACL Ltd. or any of its associates, in respect of the survey numbers comprised in the impugned properties.
51. Having regard to the totality of the evidence on record, this Panel is of the considered view that the Objectors/Applicants have satisfactorily established that: (i) Registered Sale Deed No. 899/2006 dated September 12, 2006 therefore conveyed no right, title or interest in the impugned properties to Mr. Shirishachandra Das, and consequently none to PACL Ltd. or to any of its associate entities; and that this conclusion is corroborated by the decrees dated September 23, 2013 of the Court of the District Munsif, Kovilpatti in O.S. Nos. 16, 26, 27 and 28 of 2013, which remain unchallenged and in force; (ii) The Objectors/Applicants are *bona fide* purchasers for value, having acquired the impugned properties from the true owner under registered Sale Deeds; and (iii) The impugned properties are, accordingly, held by the Objectors/Applicants in their independent capacity within the meaning of para 12(iii) of the order dated February 19, 2026 of the Hon'ble Supreme Court.



ho *l* *SW*

52. In light of these facts, and having regard to the directions contained in the Hon'ble Supreme Court's order dated February 19, 2026, this Panel is satisfied that the Objectors/Applicants have established their status as *bona fide* purchasers for value holding the impugned properties in their independent capacity, and that their claim cannot be rejected merely because the impugned properties were, at an earlier point of time, the subject of a conveyance taken in the name of a nominee of PACL Ltd., a conveyance which, for the reasons recorded above, was ineffectual to pass any title. The objections accordingly deserve to be allowed.

ORDER:

53. In view of the foregoing, the objections raised by the Objectors/Applicants, Smt. Saraswathi w/o Mr. Madasamy Thevar, Mr. J. Balamurugan s/o Mr. Jeyaram, Mr. S. Sendilnaathan s/o (late) Mr. A. Srinivasan and Mr. P. Sivan s/o (late) Mr. Paramasivam, with respect to the impugned properties situated at Kurumalai (Gurumalai) Village, Kovilpatti Taluk, Thoothukudi District, Tamil Nadu, within the Registration District of Palayamkottai and the Sub-Registration District of Kadambur, purchased under registered Sale Deed Nos. 583/2007 dated May 31, 2007, 437/2007 dated April 03, 2007, 438/2007 dated April 03, 2007 and 234/2009 dated March 02, 2009, and covered under MR No. 15193/16, are hereby allowed, and the impugned properties are directed to be released from attachment, as under:

Sr.	Objector/Applicant	Sale Deed	Survey No.(s)	Extent released from attachment
1.	Smt. Saraswathi (Applicant No. 1)	Doc. No. 583/2007 dated 31.05.2007	154/3B	91.5 cents
2.	Mr. J. Balamurugan (Applicant No. 2)	Doc. No. 234/2009 dated 02.03.2009	112/4	1 acre 80 cents
3.	Mr. S. Sendilnaathan (Applicant No. 3)	Doc. No. 437/2007 dated 03.04.2007	128/3 – 91 cents; 132/2 – 98 cents	1 acre 89 cents
4.	Mr. P. Sivan (Applicant No. 4)	Doc. No. 438/2007 dated 03.04.2007	110/2 – 5 acres 32 cents; 110/3 – 1 acre	6 acres 32 cents
TOTAL				10 acres 92.5 cents



Handwritten signatures and initials in blue ink.

54. In view thereof, the impugned orders dated October 28, 2022 in File Nos. 924, 925, 926 and 929 passed by Shri R.S. Virk, District Judge (Retd.), to the extent of the aforementioned Survey Nos. and area, are hereby set aside.

55. It is clarified that the release granted hereunder is confined to the survey numbers and extents set out in the table above, aggregating 10 acres 92.5 cents, being the extents claimed by the Objectors/Applicants and described in the Schedules to the said four registered Sale Deeds, and that the attachment in respect of the balance of the lands covered by MR No. 15193/16, namely Survey No. 21 admeasuring 10 acres 81 cents and the balance extent in Survey No. 154/3B, which does not form the subject matter of the present I.As., shall continue to stand.

56. The I.A. No. 2923 of 2023, I.A. No. 2937 of 2023 and I.A. No. 2940 of 2023 in Civil Appeal No. 13301 of 2015 are accordingly disposed of in terms of this order.

Place: Mumbai

Date: August 31, 2026



[Signature]
31.8.2026

PREETI PATEL
RECOVERY OFFICER

[Signature]
31/8/2026

KSHAMA WAGHERKAR
RECOVERY OFFICER

[Signature]
31.8.26

SAROJ KUMAR SAHU
RECOVERY OFFICER

प्रीति पटेल / PREETI PATEL
उप महाप्रबंधक एवं वसूली अधिकारी
Deputy General Manager & Recovery Officer
(फ़ी ए सी एल ली के मामले से संबंधित, मुंबई) (In the Matter of PACL Ltd. Mumbai)

क्षमा प्र. वाघेरकर / KSHAMA P. WAGHERKAR
महाप्रबंधक एवं वसूली अधिकारी
General Manager & Recovery Officer
(फ़ी ए सी एल ली के मामले से संबंधित, मुंबई) (In the matter of PACL Ltd. Mumbai)

सरोज कुमार साहु / SAROJ KUMAR SAHU
उप महाप्रबंधक एवं वसूली अधिकारी
Deputy General Manager & Recovery Officer
(फ़ी ए सी एल ली के मामले से संबंधित) (In the matter of PACL Ltd.)