

IN T HE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SATHYANARAYANAN

**Review Application Nos.213 and 214 of 2015
and M.P.No.1 of 2015**

Fairdeal Supplies Ltd.,
Rep. By its Director,
No.4, B.B.D. Bag (East),
5, Stephen House, 1st Floor, Kolkatta.

.. Applicant in
both RAs.

-VS-

1.K.Arumugam, Secretary,
South India Viscose National Workers
Union, SIV Industries Ltd.,
Coimbatore.

.. 1st respondent
in R.A.213/15

2.The Official Liquidator,
High court, Madras.
As the Official Liquidator of SIV
Industries Ltd. (In Liquidation)

.. 2nd respondent
in R.A.213/15
& sole respondent
in R.A.214/15

Review Applications filed under Section 114 read with Order XVII
Rule 1 of C.P.C. Read with Clause 15 of the Letters Patent against the
common judgment and decree dated 16.12.2014 passed in

O.S.A.Nos.200 and 203 of 2014 on the file of this Court.

For Applicant : Mr.K.V.Babu

For Respondents : Mr.G.Arulmurugan for R-1
in R.A.No.213/2015
: Mr.S.R.Sundar, Official
Liquidator for R-2

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard the learned counsel for parties. The review is qua sub para (iii) of para 14. Learned counsel for the applicant states that the full information in respect of the issue to the ownership of the road was not earlier available to him and that is why the correct picture could not be presented before the Court at the time when the appeals were being heard.

2.We distinctly remember that the issue arising from the question of road was argued at length as would also be apparent from our order. Now to say that the entire road inside the factory does not belong to the company and therefore could not have been conveyed and should be excluded for purposes of arriving at the total extent of

area to be transferred to the applicant of 253.89 acres is an after thought, specifically as the sale was on "as is where is" basis and the applicant ought to have verified all the relevant facts in this behalf.

3.We find there is no error apparent on face of record for us to exercise the review jurisdiction.

4.Review Applications are, thus, dismissed. No costs.
Consequently, M.P.No.1 of 2015 is also dismissed.

(S.K.K., CJ.) (M.S.N., J.)
01.09.2015

Index : Yes/No
Website : Yes/No

sra

To

1.The Official Liquidator,
High court, Madras.
(As the Official Liquidator of SIV
Industries Ltd. (In Liquidation)

The Hon'ble Chief Justice
and
M.Sathyanarayanan, J.

(sra)

Rev.Appln.Nos.213 and 214
of 2015

01.09.2015