

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

O.S.A.Nos.168 & 169 of 2013

O.S.A.No.168 of 2013:

V.Thirumurugan,
Proprietor and Authorised Signatory of
M/s.V.S.K.Marketing,
No.6/623, Main Road,
Devapandalam (Post),
Sankarapuram Taluk,
Villupuram District,
Tamil Nadu-606 402. ... Appellant

vs

1.The Official Liquidator,
High Court, Madras.
Corporate Bhavan,
2nd Floor,
No.29, Rajaji Salai,
Chennai-600 001.

2.Cholamandalam Investment and
Finance Company Ltd.,
Dare House,
No.2, N.S.C. Bose Road,
Parrys, Chennai-600 001.

3.Nandagopal,
Proprietor,
M/s.Rajendra Textile Engineers,
No.62, 3rd street,
Bharathy Colony, Peelamedu,
Coimbatore-641 004.

4.Indian Overseas Bank,
Salem Main Branch,
16/17, Car street,
Salem-636 001.

.. Respondents

(Respondent No.4 impleaded as
per the order made in M.P.No.1 of 2014
dt. 15.4.2014)

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.. Appellant

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.. Respondents

Appeals filed under Order XXXVI, Rule 9 of Original Side Rules read with Clause 15 of Letters Patent against the order made in C.A.Nos.339 and 340 of 2013 in C.P.No.173 of 2001, dated 28.03.2013.

For Appellant .. Mr.J.Rajakalifulla
in both appeals for
M/s.S.Krishnaveni

For Respondents .. Mr.B.Dhanaraj for R1
Mr.D.Pradeep kumar for R2
Mr.J.Nithyanandam for R3 in both
appeals
Mr.F.B.Benjamin George for R4
in OSA.No.168 of 2013

COMMON JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

In view of our orders passed in C.M.P.No.4233 of 2016 in O.S.A.No.168 of 2013 today, if three parties are not ad idem, then the machineries are to be sold by the applicant therein and nothing would survive for consideration in these appeals.

2. If parties are able to resolve the issue and opt to shift the machineries, then they can settle the issue inter se themselves.

3. The appeals, accordingly, stand disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bbr

To
The Sub Assistant Registrar,
Original Side, High Court, Madras.

+1 cc to Ms.S.Krishnaveni, Advocate, sr.20348
+1 cc to Mr.B.Dhanaraj, Advocate, sr.20274
+1 cc to Mr.J.Nithyanandan, Advocate, sr.20686
+1 cc to Mr.B.Giridhara Rao, Advocate, sr.4781

O.S.A.Nos.168 & 169 of 2013

tej co
kra 12.04.2016

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