

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 37725 of 2004

and

W.P.M.P.s 45288 & 45289 of 2004

M/s. Akbar Leathers Limited,
represented by its Director,
Mr.Parvez Akbar,
Ambur,
Vellore District.

... Petitioner

Versus

1. The District Collector,
Collector Complex,
Sathuvachary,
Vellore,
Vellore District.
2. The Tahsildar,
Vaniyambadi,
Vellore District.
3. The Hindu Educational Society,
represented by its Secretary
Mr.K.M.Kanthiraj,
Ambur,
Vellore District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to restore the sale proceeds received from the sale of company's asset situated at MC Road, Sulur Village, Ambur, Vellore District to the account of the petitioner company.

For Petitioner : Mr.Bavisetty Sridhar,
Deputy Official Liquidator
assisted by
Mr.Zafarullah Khan

For Respondents : Mr.I.Sathish,
Addl. Government Pleader for R1-R2

Mr.K.M.Ramesh for R3

O R D E R

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to restore the sale proceeds received from the sale of company's assets.

2. Today, when the matter came up for hearing, it is submitted that pending Writ Petition, the company has been undergone winding up proceedings, now, all the assets and liabilities are vested with the Official Liquidator. Today, the Deputy Official Liquidator also present before this Court, and submitted that for the very same issue, the Official Liquidator has filed a company petition, the same was dismissed. Against which, they have filed Special Leave Petition before the Supreme Court of India.

3. In the above circumstances, the petitioner company cannot maintain this Writ Petition. Hence, the Writ Petition is liable to be dismissed. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected Writ Petition Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CJ conf)

/true copy/

Sub Asst. Registrar

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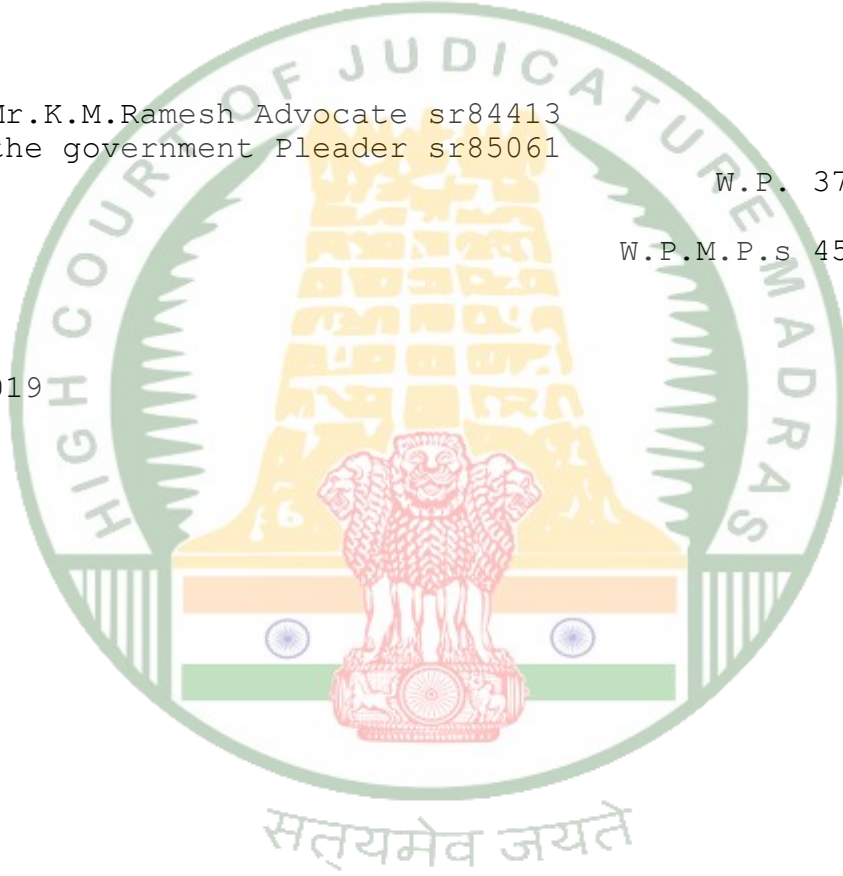
To

1. The District Collector,
Collector Complex,
Sathuvachary,
Vellore,
Vellore District.
2. The Tahsildar,
Vaniyambadi,
Vellore District.

+1 cc to Mr.K.M.Ramesh Advocate sr84413
+1 cc to the government Pleader sr85061

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mr (co)
aa01/11/2019



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