

Company Application Nos.146 to 148 of 2019
in Company Petition No.71 of 1974

N.SATHISH KUMAR, J.,

These Company Applications have been filed by the applicant only to implead him as party to the proceedings.

2. It is the contention of the learned counsel for the applicant that the applicant has entered into an agreement for sale of the property and based on that, he has also filed a suit. However, the defendants have filed a Civil Revision Petition in C.R.P.No.463 of 2010 on the file of the Madurai Bench of this Court and on 30.03.2010, this Court has struck-off the plaint, as against which, the applicant has filed S.L.P.(C)No.11947 of 2010 and the same was allowed on 09.08.2016 by converting SLP into a Civil Appeal in C.A.No.8009 of 2016. Therefore, it is the contention of the learned counsel for the applicant that the applicant should be impleaded in these Applications.

3. This Court is of the view that such contention may not be placed at this stage. The applicant seeks to establish his rights based on the agreement for sale. Admittedly, the agreement does not create any charge or interest over the immovable property. Such being the position, impleading the applicant in these Applications does not arise at all. It is for him to establish his rights based on the outcome of the suit. In such case, he will very well adjudicate the case before the learned Official Liquidator.

N.SATHISH KUMAR, J.,

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4. With these observations, these Company Applications are dismissed.

26.07.2019

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