

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

O.S.A.NO.166 OF 2019

M/s.SLO Industries Ltd.,
No.447/365, Poonamallee High Road,
Chennai - 29.

.. Appellant

Vs

1.M/s.Shriram City Union Finance Ltd.,
rep. by its Authorised Signatory P.Nawin

2.Kripal Singh

3.Amarjit Kaur

4.The Sub Registrar, Ponneri Sub Registrar,
No.9, Taluk Road, Ponneri - 601 204.
(Near Taluk Office and Police Station)

... Respondents

Appeals preferred under Clause 15 of Letters Patent and Order XXXVI Rules 1 and 2 of O.S. Rules r/w Section 37 of the Arbitration and Conciliation Act, 1996 against the order dated 03.06.2019 made in A.No.7466 of 2018 in A.No.3338 of 2017.

This Application praying that this Hon'ble court be pleased to direct the 4th Respondent to register the sale deed submitted on 06.06.2018 bearing pending Registration PVO.P/Ponneri/111/2018, or in the alternative raise the order of Attachment dated 29.08.2017 passed in A.No.3338 of 2017, in respect of the schedule property mentioned in the judges summons.

For Appellant .. Mr.Menon

For Respondents.. Mr.M.Arvind Subramaniam for R1
Mr.K.Chandrasekar for R2 & R3
R4 - Notice sent

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This Original Side Appeal is preferred against the order dated 03.06.2019, dismissing the application filed in A.No.7466 of 2018 in A.No.3338 of 2017.

2.When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the appellant, learned counsel appearing for the first respondent and the learned counsel appearing for respondents 2 and 3 that the Resolution Professional has already been appointed and he has also taken charge. Insofar as the appellant is concerned, in fact, the Resolution Professional has been appointed by the National Company Law Tribunal on 04.11.2019.

3.In such view of the matter, the Original Side Appeal stands dismissed as not maintainable. However, we make it clear that if the Resolution Professional chooses to pursue the appeal, it is open to him to do so by filing appropriate application. The appellant is also permitted to give due intimation to the Resolution Professional, if so advised. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Sub Registrar,
Ponneri Sub Registrar,
No.9, Taluk Road, Ponneri - 601 204.
(Near Taluk Office and Police Station)

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

+1cc to Mr.M.Arvind Subramaniam, Advocate, S.R.No.4188

+1cc to M/s.Menon Karthik Mukundan, Advocate, S.R.No.4033

O.S.A.No.166 of 2019

SR(CO)

CS/02/03/2020