

Comp. A.No.85 of 2021
in
C.P.No.236 of 1997

R.SUBRAMANIAN.J.,

This application has been filed seeking a direction to the Official Liquidator to execute a Rectification Deed correcting the mistake in the boundary description in the Sale Deed executed by the Official Liquidator dated 07.03.2006 registered as Doc. No.707 of 2006 in the Office of the Sub-Registrar, Maduranthakam.

2. The applicant is a purchaser of 649 cents of agricultural land situate in Kolambakkam Village, Maduranthakam Taluk. The said 649 cents of land is situate in two parcels measuring 570 cents in S.No.13 and 79 cents in S.Nos.18/2 and 18/3. In the schedule to the Sale Deed, the land is described with four boundaries for each of the two parcels.

3. According to the applicant, a mistake has crept in the boundary description of S.No.13 measuring about 570 cents. The fact that there is a mistake is also certified by the Village Administrative Officer, Pazhayanur Village, Maduranthakam Taluk. Hence, the applicant is before this Court seeking a direction to the Official Liquidator to execute a Rectification Deed.

The fact that there is a mistake in the Sale Deed is evidenced by the letter of the Village Administrative Officer which has been produced along with the typed set. The correct boundaries are as follows:

On the North by Vedanthangal Road

On the South by Ramalingam land

On the East by S.J.Anandhmul, Amit Sogan land

On the West by Anthony, Lalitha, Gnanaraj, Sadagopan, Appa Pillai land

4. The learned Official Liquidator would submit that now the Company is dissolved and she may not be in a position to execute the Rectification Deed.

5. Since the original Sale Deed has been executed by the Official Liquidator and it is only a mistake regarding the boundaries, I do not see any difficulty in directing the Official Liquidator to execute the Rectification Deed as prayed for by the applicant. It is made clear that the applicant shall bear all the expenses in respect of Stamp Duty as well as Registration charges for the Rectification.

18.06.2021

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