



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.07.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.14634 of 2017 and
W.M.P.No.15872 of 2017

M/s.ARC Investments Castings LLP,
A registered Partnership firm,
433, 8th Main, 4th Block,
Koramangala,
Bangalore 560 034.
Registered Office at:
No.1C, Prince Apartments,
No.59, Ormes Road,
Kilpauk, Chennai 600 010
By its Authorised Signatory,
Mr.M.Subramaniam,
General Manager

... Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Raja Annamalaipuram,
Chennai 600 028.
2. The District Registrar,
Krishnagiri.
3. The Sub Registrar,
Hosur.
4. M/s.Pegasus Assets Reconstruction Pvt. Ltd. ('PEGASUS')
Registered Office at:
507, Dalamal House,
Nariman Point, Mumbai 400 021.
5. Allahabad Bank,
Industrial Finance Branch,
Kishore Bhavan, 4th Floor,
No.17, R.N.Mukherjee Road,
Kolkata 700 001.



6. M/s.Interpump Hydraulics India Pvt. Ltd.
Rep. by its Finance Manager,
P.A.Arunachalam,
129, SIPCOT Industrial Complex,
Zuzuvadi, Hosur 645 126.
Tamil Nadu.

7. M/s.U.T.Limited,
Circular Court, Basement,
8, Acharya Jagadish Chandra Bose Road,
Kolkata 700 017.

8. P.Pragasam

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass appropriate orders for deletion of the entry with regard to the sale deed dated 05.08.2016 and registered as Document No.12695 of 2016 Book I in the office of the Sub Registrar, Hosur, executed by M/s.U.T.Limited, Judgment Debtor, acting through the Principal District Judge, Krishnagiri, in favour of the 8th respondent herein, in respect of the property viz. all that piece and parcel of land and building comprised in S.Nos.526, 527 pt. 528 pt., and 529 pt., and bearing Plot No.26, SIPCOT Industrial Complex, Hosur, Zuzuvadi Village, Krishnagiri District, with an extent of 3.00 acres (approximately) together with plant and Machinery.

For Petitioner	: Mr.R.Thiagarajan
For Respondents 1 to 3	: Mr.Richardson Wilson Government Counsel
For 4th Respondent	: Ms.Abitha Banu
For Respondents 6 to 8	: M/s.Gupta & Ravi

ORDER

When this writ petition came up for hearing on 25.06.2021, this Court passed the following order:

"Heard Mr.R.Thiagarajan, learned counsel appearing for the petitioner, Mr.Ravi, learned counsel for the 8th respondent and Ms.Abitha Banu, learned counsel for the 4th respondent.



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2.Mr.R.Thiagarajan, learned counsel for the petitioner, after some arguments, has further submitted that in view of the subsequent developments taken place, where the orders passed by the trial Court in Application filed by the petitioner under Order XXI Rule 58 of C.P.C., having been affirmed by the decision of this Court reported in (2021) 2 L.W. 673 [M/s.ARC Investments Castings LLP Vs. M/s.Interpump Hydraulics India Private Limited] (A.S.No.470 of 2019 dated 15.04.2021), what shall be the remedy available to the petitioner for the relief sought for herein, can be worked out and accordingly, after getting instructions with regard to withdrawal of this writ petition, the counsel for petitioner would be in a position to report before this Court, hence for the said purpose, he seeks two weeks accommodation.

3.Post the matter on 09.07.2021."

Accordingly, it is listed today.

2.Mr.R.Thiagarajan, learned counsel appearing for the petitioner, on instruction, would submit that the petitioner wants to withdraw the writ petition with the liberty to workout his other remedy in accordance with law and with that liberty, he seeks permission to withdraw this writ petition.

3.Heard the learned counsel appearing for the respondents also.

4.In view of the said submission made by the learned counsel appearing for the petitioner, recording the said submission, this Writ Petition is dismissed as withdrawn with the liberty to the petitioner to workout his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(L.A)

//True copy//

Sub Assistant Registrar

Sgl



To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Raja Annamalaipuram,
Chennai 600 028.

2. The District Registrar,
Krishnagiri.

3. The Sub Registrar,
Hosur.

+1cc to Mr.R.Thiagarajan, Advocate, S.R.No.32550

+1cc to M/s.Gupta & Ravi, Advocate, S.R.No.32401

+1cc to the Government Pleader, S.R.No.32941

W.P.No.14634 of 2017

RP(CO)
RLP(30/07/2021)