



Comp.A.No.17 of 2023 in C.P.No.130 of 1999

WEB COURT **KRISHNAN RAMASAMY, J.**

This Company Application has been filed by the applicants seeking to direct the second respondent to issue a certified copy of the sale deed dated 28.11.1994 registered as Document No.6029 of 1994 on the file of the Sub Registrar Office, Sriperumbudur.

2. The learned counsel for the applicants submitted that the applicants are the legal heirs of one Late Mr.M.Jayaraman. The said Jayaraman is the husband of 1st applicant and father of 2nd & 3rd applicants. When the said Jayaraman was alive, he had purchased a plot bearing No.72 admeasuring 13.82 cents comprised in Survey No.187/6F & 187/6 situated at Podavur Village, Sriperumbudur Taluk, Kancheepuram District from M/s.Anubav Group of Companies (company in Liquidation) vide Sale Deed dated 28.11.1994. The said Sale Deed was registered as Document No.6029 of 1994 on the file of the second respondent. The said Jayaraman had died on 23.10.2000. While so, after his demise, when the first applicant verified the title documents of the aforesaid Plot, she found that the Original Registered Sale Deed dated 28.11.1994 was missing and only a certified copy of the said Sale Deed is available.

2.1. The learned counsel brought to the knowledge of this Court that after the execution of the Sale Deed dated 28.11.1994, M/s.Anubav Group



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of Companies (company in Liquidation) did not handover the Original Sale Deed to said Jayaraman and it retained the same. Since the said company is in Liquidation, the first applicant vide letter dated 19.03.2021, requested the first respondent/Official Liquidator to handover the Original Sale Deed. After the receipt of her letter, the first respondent/Official Liquidator has forwarded the same to the Former Administrator of M/s.Anubav Group of Companies (company in Liquidation).

2.2. The learned counsel also submitted that the Former Administrator of M/s.Anubav Group of Companies (company in Liquidation) vide communication dated 14.07.2021, informed the first respondent/Official Liquidator that the Original Sale Deed dated 28.11.1994 was kept in the Registered Office of the company in liquidation but the same was destroyed during a fire accident and therefore, he is not in possession of the Original Sale Deed dated 28.11.1994. That apart, the Former Administrator of M/s.Anubav Group of Companies (company in Liquidation) further informed that in a case of similar nature, this Court has passed an order dated 10.10.2011 in Company Application Nos.633 and 634 of 2011, wherein, it has directed the concerned Sub-Registrar to issue a certified copy of the Original Sale Deed to the applicant therein. The Former Administrator has also enclosed a copy of the said order along with the said communication. Hence, left with no other alternative, the applicants have filed the present application for the relief stated *supra*.



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3. The Official Liquidator submitted that he has no objection to this Application being allowed.

4. Considering the facts and circumstances of the case and having regard to the above submissions made by the learned counsel for the applicants as well as the Official Liquidator, this Court is inclined to allow this Application. Accordingly, this Company Application is allowed and the second respondent is directed to issue a certified copy of the Sale Deed dated 28.11.1994 registered as Document No.6029 of 1994 on the office of second respondent.

02.03.2023

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KRISHNAN RAMASAMY, J.

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