



W.P. No.16267 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No.16267 of 2023

and

W.M.P. Nos. 15657 and 15658 of 2023

Marg Ltd.

Represented by its Authorised Signatory

Mr.K.S.Gajendra Babu

having its Registered office at

Sri Sai Subhodaya Apartments

Basement No.57/2B, East Coast Road

Thiruvanmiyur, Chennai – 600041.

.. Petitioner

-vs-

1. The Authorized Officer

Pegasus Asset Reconstruction Company Pvt. Ltd.

Having its Registered office at

No.55-56, 5th Floor, Free Press House

Nariman Point, Mumbai – 400 021.

Having Branch Office at

No.1-C, First Floor, H.M.H.Plaza

New No.56(O) 105, G.N.Chetty Road

T.Nagar, Chennai – 600017.

2. State Bank of Mauritius Limited

Prince Arcade, 4th Floor

22-A, Cathedral Road

Chennai – 600086.



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3. M/s.Energy Brama Housing Private Limited
Represented by its Director
Old No.126/5, New No.8/5
East Vanniar Street, K.K.Nagar West
Virugambakkam, Chennai – 600078.

4. M/s.Shubham Vihar (P) Ltd.
Represented by its Director
Having its Registered Office at
Sri Sai Subhodaya Apartment
Basement No.57/2B, East Coast Road
Thiruvanmiyur, Chennai – 600041.

..

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records of the first respondent relating to the Sale Certificate dated 14.03.2023 executed by the first respondent in favour of the third respondent pertaining to the punjai land situated at Anumanthai Village, Tindivanam Taluk, Villupuram District admeasuring 8.87 acres owned by Shubham Vihar (P) Ltd. comprised in New S.No.337/1, Old S.No.342/1 measuring 1 Acre and 46 cents out of 2 Acres and 93 cents, land comprised in New No.337/2, Old No.342/2 measuring 96 cents, lands comprised in New S.No.337/3, Old No.342/2 measuring 45 cents, lands comprised in New S.No.337/4, Old S.No.342/2(2 Acres and 73 cents) in all measuring a total extent of 8.87 Acres and quash the same as illegal.



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For the Petitioner : Mr.R.Rajakumaran
For the Respondents : Mr.Omprakash, Senior Counsel
for Mr.Imayavaramban
M/s.Ramalingam Associates(R1)
R2 – Not ready in notice
Mr.B.M.Premkumar (R3)

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.R.Rajakumaran, learned counsel for the petitioner; Mr.Omprakash, learned Senior Counsel for the first respondent and Mr.B.M.Premkumar, learned counsel for the third respondent.

2. It is said that the petitioner had challenged the auction sale notice by filing Securitization Application No. 97 of 2023 before the Debts Recovery Tribunal-II, Chennai and subsequently, the sale was conducted on 24.02.2023 and the sale is also challenged by filing S.A. No. 204 of 2023 before the Debts Recovery Tribunal-II, Chennai.



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To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(Maya)

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28.07.2023