



WEB COPY



C.M.P. No. 22248 of 2022
in
O.S.A. (SR) No. 133327 of 2022

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R.MAHADEVAN, J.
AND
J.SATHYA NARAYANA PRASAD, J.

(Order of the Court was made by R.Mahadevan, J.)

This petition is filed by the petitioner / appellant to grant leave to file the instant Original Side Appeal.

2.The learned counsel for the petitioner / appellant submitted that the petitioner / appellant is the absolute owner of the properties in S.Nos.1/1, 1/2, 1/3A and S.No.12/9 situated in Chithanethal Village, Kariapatti Taluk, Virudhunagar District by virtue of sale deeds dated 09.07.2008 and 25.06.2008 respectively. From the date of purchase, he has been in continuous possession and enjoyment of the same; and that, all the revenue records stood in the name of the petitioner / appellant. However, without providing any opportunity to the petitioner / appellant, by the order impugned in this appeal, the official liquidator / first respondent herein has sold the aforesaid properties to the respondents 2 and 3 herein, as if the same belongs to one M/s.Maxworth



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Orchards (India) Limited, a company under liquidation, which did not have any title over the said properties. Therefore, the learned counsel sought leave to sue the appeal.

3.Mrs. Sangeetha Loganathan, learned counsel, taking notice for the Official Liquidator, has no serious objection for granting leave to the petitioner / appellant.

4.Considering the reasons stated in the affidavit filed in support of this petition and being satisfied with the same, this Court is inclined to grant leave to the petitioner / appellant to file the appeal. Accordingly, this petition is ordered.

[R.M.D.,J.] [J.S.P.N., J.]
03.01.2023

Maya



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Dated : 03.01.2023