



Comp.A.Nos.423 & 424 of 2023

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in

Comp.A.No.169 of 2022

in

C.P.No.57 of 1998

SENTHILKUMAR RAMAMOORTHY, J.

These applications are filed by the auction purchaser for a direction to the Official Liquidator to issue a sale certificate in respect of the undisputed extents of land and put the applicant in possession thereof.

2. The applicant was the highest and successful bidder in respect of the sale of 182.165 acres of land forming the Max-Thimmapuram – M & Extension Projects in Thimmapuram Village, Aruppukottai Taluk, Virudhunagar District, Tamil Nadu. The applicant's bid was for a sum of Rs.3.4 crore.

3. Several rival claims were made in respect of the properties purchased by the applicant. Pending adjudication thereof, the applicant has requested that a sale certificate be issued in respect of lands over which no rival claims were made.



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4. Both learned counsel for the applicant and learned Administrator state that the disputed extent is about 50.275 acres and that if such disputed extent is excluded, the undisputed extent is about 131.89 acres. Learned Administrator has placed on record a report dated 19.09.2023. Annexure I thereto sets out particulars of the undisputed extent along with survey numbers, the proportionate value thereof and other details.

5. By taking into consideration the amount already paid by the auction purchaser, a sum of about Rs.44,16,212/- in excess of the proportionate value of Rs.1,77,70,796/- is lying with the Official Liquidator. This excess amount shall remain with the Official Liquidator and shall be dealt with when the applications of rival claimants to the disputed lands are disposed of. In these circumstances, the application seeking execution of sale certificate for the undisputed portion is liable to be allowed.



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6. Accordingly, these applications are disposed of by directing the Official Liquidator to execute a sale certificate for the undisputed extent of 131.89 acres, as per details set out in Annexure I of the learned Administrator's report, in favour of the applicant or its nominee. Such sale certificate shall be issued within a period of three weeks from the date of receipt of a copy of this order. If necessary, the jurisdictional revenue and police officials shall provide necessary support to the auction purchaser in relation to taking possession.

20.09.2023

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