



W.P(MD)No.8035 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8035 of 2023

M/s.Sri Gomathi Energy (P) Ltd.,
Rep. by its Managing Director,
Having its Registered Office
At. No.10.2.46, Plot No.3 Street No.7,
West Marredpally, Secunderabad,
Telangana State.

... Petitioner

Vs.

XXXX

*(R1 is deleted and 2nd and 3rd respondents
ranks rearranged as respondents 1 and 2
vide order dated 11.04.2023 in W.P.(MD).
8035 of 2023 by CVKJ)*

1.The District Registrar,
Thenkasi.

2.The Sub Registrar,
Uthumalai,
Thenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to register and release the document No.(p)4 of 2021



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dated 12.02.2021, which was duly executed between M/s. NCLT Chennai Liquidator Sri. LK.Sivaramakrishnan on behalf of Corporate Debtor M/s. Auto Mira Bio Power India Private Limited and the petitioner within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate.

ORDER

Heard both sides.

2.The writ petitioner had purchased the petition mentioned property from the liquidator appointed by NCLT. The petitioner purchased the immovable property separately and the machineries under a separate agreement. Copies of the same have been enclosed in the typed set of papers. The sale deed executed by the liquidator in favour of the petitioner has been presented under Section 17 of the Registration Act. The petitioner is ready to pay the stamp duty and other registration charges as per norms. In fact, the property has also been valued by the



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engineer. The question of valuing machineries will not arise at all because a movable property can be sold by way of delivery. The same has been purchased by the petitioner under a separate agreement. The case on hand pertains only to the sale deed in respect of the immovable property. Subject to the petitioner remitting the necessary stamp duty and other registration charges, the Sub-Registrar, Uthumalai is directed to release the document in favour of the petitioner.

3.This writ petition is disposed of accordingly. No costs.

15.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The District Registrar,
Thenkasi.
- 2.The Sub Registrar,
Uthumalai,
Thenkasi District.

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G.R.SWAMINATHAN, J.

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