



WMP(MD) No.17775 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Thursday, the Fourteenth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

WMP(MD) No.17775 of 2023

AND

WP(MD) No.2598 of 2023

1 THE GOVERNMENT OF TAMILNADU
REP. BY ITS SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
FORT ST.GEORGE, CHENNAI 600 009

2 THE TAMILNADU ELECTRICAL INSPECTORATE,
REP. BY THE CHIEF ELECTRICAL INSPECTOR TO GOVERNMENT,
THIRU VI KA INDUSTRIAL ESTATE, GUINDY, CHENNAI 600 032

3 THE ELECTRICAL INSPECTOR
TRICHIRAPALLI CIRCLE,
13, N.M. BUNGALOW ROAD, T.V.S.TOLL GATE,
TIRUCHIRAPALLI 620 020

4 THE TAHSILDAR,
ARANTHANGI, TALUK OFFICE ROAD, PUDUKKOTTAI DISTRICT 614 616

5 THE SUB REGISTRAR
ARANTHANGI SUB REGISTRAR OFFICE,
ARANTHANGI TALUK,
PUDUKOTTAI DISTRICT-614 616.

... PETITIONERS/RESPONDENTS
IN WMP(MD).17775/2023

... RESPONDENTS IN WP(MD).2598/2023

Vs



WMP(MD) No.17775 of 2023

M/S.EMPEE DISTILLERIES LIMITED,
REP. BY ITS AUTHORIZED SIGNATORY P.K.DAS,
HAVING OFFICE AT 72,
GREAMS ROAD, THOUSAND LIGHTS,
CHENNAI 600 006

... RESPONDENT/PETITIONER
IN WMP(MD).17775/2023

... PETITIONER IN WP(MD).2598/2023

PRAYER IN WMP(MD).17775/2023:

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to vacate the interim stay granted in W.M.P.(MD).No. 2363 of 2023 in W.P.(MD).No. 2598 of 2023 and thus render justice.

Prayer in WP(MD). 2598/ 2023 :

Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus calling for the records relating to the letter of demand issued by the 4th Respondent dated 23.01.2023 bearing Na.Ka.A1/2813/2020 and the consequential attachment effected by the 5th Respondent in favour of the 4th Respondent in Serial No. 5 of the encumbrance certificate relating to the petitioners land situate in S.No.261/3, Mookudi Village, Aranthangi Taluk, Pudukottai District and quash the same as null and void, non-est in law and abated by operation of Distilleries Limited on 20.01.2020 in CP/280/IB/2018 by the Honble National Company Law Tribunal and consequently direct the 5th Respondent to remove the entry of attachment effected in favour of the 4th Respondent in Serial No.5 relating to the Petitioner's land situate in S.no.261/3, Mookudi Village, Aranthangi Taluk, Pudukottai District.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.SARANGAN, Additional Government Pleader on behalf of the petitioners in WMP(MD).17775/2023 & for the Respondents in WP(MD).2598/2023, the court made the following order:-

For the tax arrears of Rs.7,12,74,955/- due from the petitioner, the Tahsildar, Aranthangi has initiated proceedings as against the writ petitioner vide proceedings in Na.Ka.A1/2813/2020, dated 23.01.2023.



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2.This Court, while entertaining this writ petition granted an order of interim stay on 09.02.2023.

3.The respondents have filed their counter affidavit and also filed an application to vacate the interim stay.

4.Today (14.09.2023), when this writ petition is taken up for hearing, there is no representation for the petitioner. This Court, having convinced with the reasons assigned in the affidavit filed in support of the vacate stay petition in WMP(MD) No.17775 of 2023, WMP(MD) No.17775 of 2023 is allowed. Interim order granted by this Court is vacated.

List this matter in the regular course.

sd/-
14/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO
1 THE SECRETARY TO GOVERNMENT,
GOVERNMENT OF TAMILNADU
REVENUE DEPARTMENT,
FORT ST.GEORGE, CHENNAI 600 009

2 THE CHIEF ELECTRICAL INSPECTOR TO GOVERNMENT,
THE TAMILNADU ELECTRICAL INSPECTORATE,
THIRU VI KA INDUSTRIAL ESTATE, GUINDY,
CHENNAI 600 032

<https://www.mhc.tn.gov.in/judis>



WMP(MD) No.17775 of 2023

3 THE ELECTRICAL INSPECTOR

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13, N.M. BUNGALOW ROAD, T.V.S.TOLL GATE, TIRUCHIRAPALLI 620 020

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ARANTHANGI SUB REGISTRAR OFFICE,

ARANTHANGI TALUK, PUDUKOTTAI DISTRICT-614 616.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR.No.43210 (F)

ORDER IN

WMP(MD) No.17775 of 2023

AND WP(MD) No.2598 of 2023

Date :14/09/2023

SA/JGB/SAR. /21.09.2023/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.