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Comp.A.No.159 of 2024

in

C.P.No.339 of 1999

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KRISHNAN RAMASAMY, J.,

This application has been filed to direct the Official Liquidator to execute and register the sale deed in favour of the applicant, in respect of the proportionate 1308/15263 undivided share in land admeasuring 11046 Square feet of undivided share of land in all that piece and parcel of land being, Apartment at 36,E2, II Floor,Alsa Edengrove, D.B.N.Road, T.Nagar, Chennai 600 017, comprising in Old Survey No.58/2, part T.S.No.8657 part, Block No.114, admeasuring an extent of 11046 square feet or thereabouts, more particularly described in the schedule of property in the application as per the agreement dated 09.02.1992.

2. Learned counsel for the Applicant submitted that entire sale



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consideration was paid by the Applicant to the Respondent-Company in well before the filing of the winding up petition.

3. This Court on 07.06.2024 directed the learned Official Liquidator to verify the said aspect and file a report and when the matter was taken up for hearing on 12.07.2024, the learned Official Liquidator has filed a report dated 04.07.2024 stating that the applicant may be directed to produce the original documents with respect to the payments made by him on purchase of the property in question and the matter was adjourned to 19.07.2024. Thereafter, the learned counsel for the Applicant produced the certified copy of the documents such as receipts issued by the Respondent prior to liquidation, Sale Agreement etc., before the learned Official Liquidator and upon verification, the learned Official Liquidator filed a report dated 25.07.2024 stating that the Applicant has paid the entire sale consideration in 1995 itself, i.e., before the filing of the winding up petition. Therefore, she fairly submitted that



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this Court may allow this Application.

4. Heard both sides. Perused the records.

5.The winding up petition was filed in the year 1999 and the winding up order was passed on 25.09.2000 in C.P.No.339/1999. The entire Sale Consideration was paid in the year 1995 itself.

6. Considering the submissions made by the learned counsel appering on either side and the fact that entire sale consideration was made by the applicant to the Company in liquidation in the year 1995 itself i.e., before the filing of the winding up petition, this Court deems it fit to allow this Application

7. Accordingly, this application is allowed and the learned Official Liquidator is directed to register the sale deed in favour of the



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applicant, in respect of schedule mentioned property, within a period of four weeks from the date of receipt of a copy of this order.

26.07.2024

arr

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