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W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

W.M.P.Nos.32736 of 2019, 5999 of 2021,
41335 of 2024, 4611 of 2020,
17374 of 2018 in W.P.No.8084 of 2017 &
4914 of 2019 in W.P.No.18371 of 2017

W.M.P.No.32736 of 2019 :

1.C.Panchali,
W/o.Srinivasan,
Mariamman Kovil Street,
Adankulam, Anniyur,
Vikravandi Tk,
Villupuram District and 117 OTHERS

... Petitioners

Vs.

1.K.Ramamurthy,
S/o.M.Krishnamurthy,
No.13/17, South Boag Road,
T.Nagar, Chennai and 33 OTHERS

... Respondents



W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

Prayer in W.M.P.No.32736 of 2019 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to implead the petitioners 1 to 118 as the petitioners and treated as respondents in main W.P.No.8084 of 2017.

Prayer in W.P.No.8084 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to allow the sale of the assets of the 4th respondent through an Hon'ble Retired Judge of this Court or an Advocate Commissioner appointed by this Court to settle the depositors of the 4th respondent.

For Petitioner : M/s.R.Premalatha

W.M.P.No.4914 of 2019 :

V.Janarthanan,
Managing Director,
DISC ASSETS LEAD INDIA LIMITED,
Old No.59/1, New No.119,
Canal Bank Road,
CIT Nagar,
Chennai – 600 035.

... Petitioner

Vs.



W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

1. The Securities Exchange Board of India,
Plot No.C4-A,
G-Block, Bandra Kurla Complex,
Bandra (East), Mumbai – 400 051 and 22 OTHERS ... Respondents

Prayer : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to implead the proposed respondents 14 to 23 as respondents in the above writ petition in W.P.No.18371 of 2017.

Prayer in W.P.No.18371 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the entire records pertaining to the proceedings of the 6th and 7th respondent in C.No.40/DSP/EOW-II/MDU/2015 dt.14.07.2015 (signed on 6.6.2016) and C.No.98(DISC)/ DSP/EOW-II/MDU/2017 dated 4.5.2017 and quash the same and consequently direct the 1st respondent SEBI to consider and pass order on our representations dated 17.10.2016, 19.10.2016 and 23.01.2017 and further direct to grant permission to the petitioner herein to proceed with the sale of the scheme properties and also permit the petitioner company to register sale deeds in favour of the third parties and eligible persons who deposited the amount for land from the petitioner company in the presence of the arbitrator appointed by Hon'ble High Court Hon'ble Mr. Justice G.M.Akbar Ali (Retd.) appointed in W.P.No.8084 of 2017 by orders dated 4.4.2017 on the file of this Hon'ble Court and pay the sale consideration to the depositors on seniority basis in the presence of the said arbitrator.



W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

For Petitioner : M/s.P.Bagyalakshmi

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W.M.P.No.5999 of 2021 :

P.Thulasidas Patel,
S/o.Premji Dhanji Patel,
Sundaram Illam, Door No.11A/3,
Muthamizh Colony First Street,
Moovendar East, Opp. A.R.Hospitals,
Valluvar Colony Extension,
Madurai – 14.

... Petitioner

Vs.

1.K.Ramamurthy,
S/o.M.Krishnamurthy,
No.13/17, South Boag Road,
T.Nagar, Chennai and 35 OTHERS

... Respondents

Prayer in W.M.P.No.5999 of 2021 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to implead the petitioner/third party as respondent in the above writ petition in W.P.No.8084 of 2017.

Prayer in W.P.No.8084 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to allow the sale of the assets of the 4th respondent through an Hon'ble Retired Judge of this Court or an Advocate Commissioner appointed by this Court to settle the depositors of the 4th



W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

respondent.

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For Petitioner : Mr.R.C.Paul Kanagaraj

W.M.P.No.41335 of 2019 :

Sri Balaji Vidyapeeth,
A Registered Trust,
Represented by its Chairman,
Mr.M.K.Rajagopalan,
Office at SBV Campus, Pillaiyarkuppam,
Pondicherry – 607 402.

... Petitioner

Vs.

1.K.Ramamurthy,
S/o.M.Krishnamurthy,
No.13/17, South Boag Road,
T.Nagar, Chennai and 36 OTHERS

... Respondents

Prayer in W.M.P.No.41335 of 2019 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to implead the petitioner herein as a party respondent in the above writ petition in W.P.No.8084 of 2017.

Prayer in W.P.No.8084 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to allow the sale of the assets of the 4th respondent through an Hon'ble Retired Judge of this Court or an Advocate



W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

Commissioner appointed by this Court to settle the depositors of the 4th respondent.

For Petitioner : Mr.S.Siva Sankar

W.M.P.No.4611 of 2020 :

1.M.Jayalakshmi,
W/o.Munnuswamy,
Mariyamman Koil Street,
Adangunam Village,
Annipoor Post, Vikravandi Taluk,
Villupuram District – 605 202 and 57 OTHERS ... Petitioners

Vs.

1.K.Ramamurthy,
S/o.M.Krishnamurthy,
No.13/17, South Boag Road,
T.Nagar, Chennai and 33 OTHERS ... Respondents

Prayer in W.M.P.No.4611 of 2020 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to implead the petitioners 1 to 58 as the respondents in main W.P.No.8084 of 2017.

Prayer in W.P.No.8084 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to allow the sale of the assets of the 4th respondent through an Hon'ble Retired Judge of this Court or an Advocate



W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

Commissioner appointed by this Court to settle the depositors of the 4th respondent.

For Petitioner : M/s.R.Premalatha

W.M.P.No.17374 of 2018 :

1.Samtha Kothari,
W/o.Kamalesh Kothari and ANOTHER ... Petitioners

Vs.

1.K.Ramamurthy,
S/o.M.Krishnamurthy,
No.13/17, South Boag Road,
T.Nagar, Chennai and 30 OTHERS ... Respondents

Prayer in W.M.P.No.17374 of 2018 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to implead us proposed respondent as necessary parties in the writ petition in W.P.No.8084 of 2017.

Prayer in W.P.No.8084 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to allow the sale of the assets of the 4th respondent through an Hon'ble Retired Judge of this Court or an Advocate Commissioner appointed by this Court to settle the depositors of the 4th respondent.



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W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

For Petitioner : Mr.V.S.Senthil Kumar

COMMON ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

All these petitions are filed to implead the proposed parties as respondents to the writ proceedings.

2.These petitions are not seriously opposed by the learned counsel appearing for the respondents. Since the proposed parties are necessary parties for an effective adjudication, this Court is inclined to allow these petitions. Accordingly, these petitions are ordered. However, this order is without prejudice to the contentions which the contesting respondents may have on merits.

3.Registry is directed to carry out the necessary amendment in the cause titles.

(S.S.S.R., J.) (P.D.B., J.)
12.12.2024

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Internet : Yes



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W.M.P.Nos.32736 of 2017 in W.P.No.8084 of 2019, etc.

S.S. SUNDAR, J.
and
P. DHANABAL, J.

mkkn

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