



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 01.08.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Comp.A.Nos.149, 209 to 211 of 2022 & 714 to 717 of 2011
in
C.P.No.57 of 1998

The Official Liquidator
High Court, Madras
As provisional Liquidator of
Maxworth Orchards (India) Limited,
High Court, Corporate Bhavan, 2nd Floor,
No.29, Rajaji Salai, Chennai-600 001
(In Provisional Liquidation)

.. Applicant

Comp.A.Nos.209 to 211 of 2022

SEI Kathiravan Power Private Ltd.,
Rep by its authorized signatory
Mr. T.Swaminathan
10th Floor, Menon Eternity
Old No.110, New No.165, St. Marys Road,
Alwarpet, Chennai-600 018
Tamil Nadu – India

... Applicant

-VS-



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1. The Official Liquidator

High Court, Madras

As provisional Liquidator of
Maxworth Orchards (India) Limited,
High Court, Corporate Bhavan, 2nd Floor,
No.29, Rajaji Salai, Chennai-600 001
(In Provisional Liquidation)

2.Ms. D. Nagasaila

Administrator of Maxworth Orchards (India) Limited,

(In Provisional Liquidation)

Old No.38/1, New No.14/1,

Akbarabad 2nd Street,

Kodambakkam,

Chennai 600 024.

... Respondents

Comp.A.Nos.714 to 717 of 2011

1. Maxworth Orchards (India) Limited

No.1A, Akbarabad First Street

Kodambakkam, Chennai-600 024

Represented by its Administrator

Shri K.Alagiriswami

2.The Official Liquidator, High Court of Madras

As a Provisional Liquidator of

M/s.Maxworth Orchards (India) Limited (in Provisional Liquidation)

Chennai.

-VS-

1.J.Kamaludeen

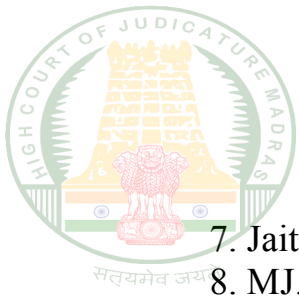
2.J.Sait Mohamed

3. J.Mohamed Beevi

4. J.Jamal Mohamed

5. Abdul Rahman (Alias) Raja Pillai

6. Shahul Hameed



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7. Jaithun Beevi
8. MJ.S.Jamal Mohamed Meera
9. Sikkanthar Beebi (Alias) Amma John
- 10.K.Jinnah
11. K.Akbar
- 12.A.Mohabobbee
- 13.Ameethabi Fathima
- 14.M.J.Jamal Jabarullah
- 15.Thamim Ansari
- 16.Sikkanthar Thulkarunai
- 17.M.Abdul Khader
- 18.M.A.Jamal Mohaideen
- 19.Mimtaj
- 20.J.Sikkanthar
- 21.K.Jamal Mohamed
- 22.S.Abdul Rahman
- 23.Y.N.Jamal Mohamed Yunoo
- 24.P.R.Jamal Mohamed yasin
- 25.Najreen
- 26.Ansiya (Alias) Rinsiya Fathima
- 27.Alima
- 28.J.M.H.Hasan
- 30.J.M.H.Hazaranbee
- 31.Saleema
- 32.J.M.H.Imran
- 33.N.Parvathi
- 34.N.Murugan
- 35.N.Sundararajan
- 36.N.Dakshinamurthy
- 37.G.Bagyalakshmi
- 38.V.Meenakshi
- 39.N.Nagarathinam
- 40.N.Deivaanai
- 41.D.Deivamani
- 42.R.Sankar
- 43.A.Venkatesan



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44. The Sub Registrar,
Office of the Sub Registrar
Veerachozhan, Tiruchulli Taluk,
Virudhunagar District.

45. The Tahsilthar,
Office of the Tasilthar,
Thiruchili Taluk,
Virudhunagar District.

46. The Sub Inspector of Police,
Narikudi Police Station,
Thiruchuli Taluk
Virudhunagar District

47. The Superintendent of Police,
Office of the Superintendent of Police,
Thiruchuli Taluk,
Virudhunagar District.

... Respondents

Prayer in Comp.A.No.714 of 2011: Judge's summons filed under Order XIV Rule 8 O.S.Rules R/W Sec.446(2), 450, 456 & 457 Company's Act & Sec 9, 11 (b) & 19 of the Company Court Rule praying to set aside the Sale Deeds bearing Nos.695/2007 dated 30.05.2007, 955/2007 dated 18/07/02007, 956/2007 dated 18/07/2007 , 957/2007 dated 18/07/2007, 975/2007 dated 20/07/2007, 977/2007 dated 20/07/2007, 978/2007 dated 20/07/2007, 989/2007 dated 23/07/2007, 1088/2010 dated 26/07/2010, 1140/2010 dated 04/082010, 365/2008 dated 15/04/2008, 366/2008 dated 15/04/2008, 367/2008 dated 15/04/2008, 368/2008 dated 15/04/2008, 370/2008 dated 15/04/2008, 371/2008 dated 15/04/2008, 378/2008 dated 15/04/2008, 376/2008 dated 15/04/2008, 377/2008 dated 15/04/2008, 381/2008 dated 15/04/2008, 382/2008 dated 15/04/2008 in the office of the 44th Respondent as null and void and consequently declare that the conveyance of the properties under the said Sale Deeds do not convey any right, title or interest in the schedule property (Schedule Nos.2 to 22) in



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favor of the Respondents 1 to 43 and consequently grant an Order of Permanent Injunction restraining the Respondents Nos.1 to 43, their men, agent or servants or any one claiming through them from in any way interfering with the lawful possession of the Applicant Company over the Scheduled Property (Schedule No.1);

Prayer in Comp.A.No.715 of 2011: Judge's summons filed under Order XIV Rule 8 O.S.Rules R/W Sec.446(2), 450, 456 & 457 Company's Act & Sec 9, 11 (b) & 19 of the Company Court Rule praying to grant an Interim Order of Injunction restraining the Respondent Nos.1 to 43, their men, agent or servants or any one claiming through them from any way alienating by way of Sale, Mortgage, lease or otherwise the property covered under Schedule 1 and consequently granting an Injunction restraining the 44th Respondent from registering any further Sale, Mortgage or lease on the Property covered under Schedule 1 and direct the Respondent Nos.465 not to issue any Patta in the Survey Nos. covered in the Schedule Property 1;

Prayer in Comp.A.No.716 of 2011: Judge's summons filed under Order XIV Rule 8 O.S.Rules R/W Sec.446(2), 450, 456 & 457 Company's Act & Sec 9, 11 (b) & 19 of the Company Court Rule praying to grant an Interim Order of Injunction restraining the Respondent Nos.1 to 43, their men, agent or servants or any one claiming through them from any way interfering with Applicant Company's lawful possession of Scheduled property covered under Schedule 1 of the Applicant Company.

Prayer in Comp.A.No.717 of 2011: Judge's summons filed under Order XIV Rule 8 O.S.Rules R/W Sec.446(2), 450, 456 & 457 Company's Act & Sec 9, 11 (b) & 19 of the Company Court Rule praying to direct the Respondent Nos.46 and 47 to give protection to the Care Taker and to the landed property acquired by the Applicant Company and receive any complaint lodged by the Care Taker, file FIR and take suitable action against the culprits.

a) to take this report on record; b) to consider the submissions made in para Nos.2 to 5 of this report and to fix the upset price for Max-Thiruculli-II Project at Rs.1,03,71,064/- which is 100% over and above the guideline



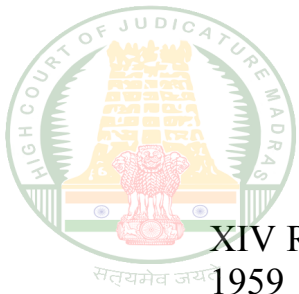
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value upon hearing the sale applications for remaining 29 projects and to conduct auction sale of the same; c) to consider the submissions made in para no.6 and to approve the draft common Sale Notice, Terms and conditions and Tender Form as per “Annexure-II, III & IV”; d) to permit the Official Liquidator to publish the common the common Sale Notice for the said 30 projects in the following News Papers: 1. The Times of India, Southern Edition and 2. Dinamani, Tamil Nadu Edition; e) to permit the Official Liquidator to issue project wise Tender Form to the intending purchasers; f) to permit the Official Liquidator to meet all the expenses in connection with the sale, including publication charges from and out of the funds of the Company in provisional liquidation and g) to permit the Official Liquidator to issue Sale Certificate in favour of the Successful bidder or his / her nominee(s) on receipt of the entire sale consideration.

Prayer in Comp.A.No.209 of 2022: Judge's summons filed under Order XIV Rule 8 of O.S.Rules r/w Rule 9, 11(b) of the Companies (Court) Rules, 1959 praying to set aside the Auction Sale Notice dated 05.05.2022 issued by the 1st Respondent in so far as it relates to land admeasuring 186.175 acres comprised in S.No.1,2,3/2,4, 5, 6, 7/2, 8, 9, 10/1, 10/2, 11, 12/1, 12/2, 13/2, 14/2, 14/4, 15/1, 15/2, 15/3, 16/1, 17/2, 17/4, 18, 19, 20, 21/1, 21/2, 22/3, 23, 24/1, 24/2, 25, 26, 27 and 28, situate in Koothanarkottai (also known as Koothamankottai) Village, Tiruchulli Taluk, Virudhunagar District belonging to the applicant, pending disposal of the application..

Prayer in Comp.A.No.210 of 2022: Judge's summons filed under Order XIV Rule 8 of O.S.Rules r/w Rule 9, 11(b) of the Companies (Court) Rules, 1959 praying to grant an order of interim stay on the operation of the Impugned Auction Sale Notice dated 05.05.2022 issued by the 1st and all proceedings pursuant thereto, in so far as it relates to land admeasuring 186.175 acres comprised in S.No.1,2,3/2,4, 5, 6, 7/2, 8, 9, 10/1, 10/2, 11, 12/1, 12/2, 13/2, 14/2, 14/4, 15/1, 15/2, 15/3, 16/1, 17/2, 17/4, 18, 19, 20, 21/1, 21/2, 22/3, 23, 24/1, 24/2, 25, 26, 27 and 28, situate in Koothanarkottai (also known as Koothamankottai) Village, Tiruchulli Taluk, Virudhunagar District belonging to the applicant, pending disposal of the application.

Prayer in Comp.A.No.211 of 2022: Judge's summons filed under Order



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XIV Rule 8 of O.S.Rules r/w Rule 9, 11(b) of the Companies (Court) Rules, 1959 praying to grant an order of interim injunction restraining the 1st respondent, its men, agents and any person claiming any right, title or interest pursuant to the Impugned Auction Sale Notice dated 05.05.2022 issued by the 1st Respondent from interfering with the applicant's possession and enjoyment of the land admeasuring 186.175 acres comprised in S.No.1,2,3/2, 4, 5, 6, 7/2, 8, 9, 10/1, 10/2, 11, 12/1, 12/2, 13/2, 14/2, 14/4, 15/1, 15/2, 15/3, 16/1, 17/2, 17/4, 18, 19, 20, 21/1, 21/2, 22/3, 23, 24/1, 24/2, 25, 26, 27 and 28, situate in Koothanarkottai (also known as Koothamankottai) Village, Tiruchulli Taluk, Virudhunagar District belonging to the applicant, pending disposal of the application.

Prayer in Comp.A.No.714 of 20211 Judge's summons filed under Order XIV Rule 8 of O.S.Rules r/w Rule 9, 11(b) of the Companies (Court) Rules, 1959 praying to grant an order of interim injunction restraining the 1st respondent, its men, agents and any person claiming any right, title or interest pursuant to the Impugned Auction Sale Notice dated 05.05.2022 issued by the 1st Respondent from interfering with the applicant's possession and enjoyment of the land admeasuring 186.175 acres comprised in S.No.1,2,3/2, 4, 5, 6, 7/2, 8, 9, 10/1, 10/2, 11, 12/1, 12/2, 13/2, 14/2, 14/4, 15/1, 15/2, 15/3, 16/1, 17/2, 17/4, 18, 19, 20, 21/1, 21/2, 22/3, 23, 24/1, 24/2, 25, 26, 27 and 28, situate in Koothanarkottai (also known as Koothamankottai) Village, Tiruchulli Taluk, Virudhunagar District belonging to the applicant, pending disposal of the application.

In Comp.A.No.149/2022

For Applicant : Mr.H.Karthik Seshadri
Assisted by Ms.D.Nagasaila,Administrator

In Comp.A.Nos.209 to 211/2022

For Applicant : Mr.Satish Parasaran, Senior Advocate
for M/s.Rahul Balaji

For Respondents in : Mr.H.Karthik Seshadri
Asst. by Mrs.Nagasaila Suresh
Administrator



Ms.Ambili B. Deputy Official Liquidator

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In **Comp.A.Nos.714 to 717/2011**

For Applicants : Mr.H.Karthik Seshadri
Assisted by Ms.D.Nagasaila,
Administrator
Ms.Ambili, B, Deputy Official Liquidator

For Respondents : Mr.T.Arunkumar, AGP for R44 to R47
No appearance for R1 to R43

ORDER

This order shall be read in continuation of and in conjunction with the earlier order dated 20.06.2025. In terms thereof and pursuant to the said order, the applicant in C.A.Nos.209 to 211 of 2022 has handed over Demand Draft No.643080 dated 21.07.2025 and drawn on State Bank of India in favour of the Official Liquidator for a sum of Rs.4,25,00,000/-.

2. Learned senior counsel for the said applicant submits that the title of the applicant may be recognized in view of the above payment instead of executing a sale certificate in favour of the applicant. For reasons set out in earlier order dated 20.06.2025, by recording the receipt of a sum of Rs.4,25,00,000/- as consideration by the company in liquidation towards the



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land, the title of the applicant is recognized in respect of the land admeasuring 186.175 acres and comprised in the survey numbers mentioned in the Judge's summons at Koothanarkottai Village, Tiruchulli Taluk, Virudhunagar District. In view thereof, it has become unnecessary to proceed with the auction sale of the above mentioned property pursuant to auction sale notice dated 05.05.2022 or take any other measures in respect thereof.

3. C.A.Nos.149 & 209 to 211 of 2022 & 714 to 717 of 2011 are disposed of on the above terms without any order as to costs.

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01.08.2025
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SENTHILKUMAR RAMAMOORTHY J.

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Comp.A.Nos.149, 209 to 211 of 2022 & 714 to 717 of 2011
in
C.P.No.57 of 1998

01.08.2025