



COMP.A No. 198 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

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THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

COMP.A No. 198 of 2025

IN

CP NO. 279 OF 2016

Asset Reconstruction Company (India) Ltd.
Acting in its capacity as the Trustee of Arcil-Arcil-SBPS-073-1 Trust
Regd. Office at The Ruby, 10th Floor No.29, Senapati Bapat Marg
Dadar (West), Mumbai 400 028
and the concerned branch office No.560-562-1G,
1st Floor Century Plaza Anna Salai, Teynampet, Chennai 18
Assignee of DBS Bank India Ltd. erstwhile Lakshmi Vilas Bank Ltd.
Rep.by its Authorised Officer Mr.J.Yuvek Chief Manager
Applicant(s)

Vs

The Official Liquidator
High Court, Madras
(as liquidator of M/s. KRM Kumaragam Chits Private Ltd.
in Liquidation)

Respondent(s)

PRAYER

To direct the Official Liquidator to deliver possession of the secured asset to the applicant for enforcement under law

For Applicant(s): Mr.Ra.Gopinath

For Respondent(s): Mr.Pola Raghunath
Official Liquidator

ORDER

This application has been filed for a direction to the Official Liquidator to deliver possession of the secured asset to the applicant.



2. When the matter came up for hearing on 14.11.2025, this Court passed the following order:

“This petition is filed to direct the Official Liquidator to deliver possession of the secured asset to the applicant for enforcement under law.

2. According to the applicant, in respect of the secured asset, the property which was sold by one R. Rajendra Babu was in favour of Pratheep Kumar and the said property is situated in Gramanatham Survey No. 268/1, New Survey No. 455/16, measuring 987 sq.ft., Plot, situated at No. 79, Kilmudalambedu Village, Gummidipoondi Taluk, Thiruvallur District. He also furnished the patta details showing Patta No. 224, schedule, house tax receipts Adangal, Chitta Register and valuation report.

3. The learned Official Liquidator seeks time to look into the same.

4. Post on 12.12.2025.”

3. When the matter was listed for hearing on 12.12.2025, the Official Liquidator sought for some time to get clarification and accordingly, the matter was directed to be listed for hearing today.

4. The Official Liquidator filed a memo and the relevant portion is extracted hereunder:

“6. The said survey number of 455/16 (old Survey No. 268/1) is examined with the Survey Number referred in the index to the Addl. Document filed by the applicant -ARCIL, dated 10.11.2025 i.e., the Survey Number 455/16 (old No. 268/1) and found both survey numbers are one and same

7. Further, in order to confirm the above facts this office has sent e-mail dated 16.12.2025 enclosing photographs taken by the deputed official at the site to the counsel of the applicant and requested to confirm whether the property referred by ARCIL as 79, Keezhmudalambedu, Kavarapettai, Gummidipoondi is the same property at Door No. 224, Raja Street, Kavarapettai, Gummidipoondi, which is under possession of the Official



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Liquidator. Copy of e-mail dated 15.12.2025 is produced as Annexure-'B'. In response to the said e-mail, counsel of the applicant has communicated by e-mail dated 16.12.2025. that the property shown in the photograph enclosed in the e-mail of this office is the very same property in respect of which his client, ARCIL. has sought for handing over of possession. Copy of e-mail dated 16.12.2025 of the counsel of the applicant dated 16.12.2025 is produced as Annexure-C

8.That as per the proof of copy of document such as patta No.224. schedule, house tax receipts, Adangal, Chitta Register and valuation report submitted by the applicant, the impugned property pertains to Shri Pradeep Kumar situated in Gramanatham Survey old Survey No.268/1, New Survey No 455/16, measuring 987 sq.ft. plot, situated at No.79, Kilmudalambedu Village. Gummidipoondi Taluk, Tiruvallur District, which was taken possession by the Official Liquidator on 12.04.2017, since the company in provisional Liquidation functioned thereat.

9.Situation being so, the Official Liquidator, prays this Hon'ble Court. to permit to hand over the possession of the said property (ie., Door No.224. Raja Street, Kavarapettai, Gummidipoondi Taluk. Tiruvallur District which is the same as No.79, Killmudalambedu Village, Gummidipoondi Taluk Tiruvallur District) as stated by the ARCIL in their index to the Addl. Document dated 10.11.2025 i.e., the Survey Number 455/16 (old No.268/1) to the applicant herein after completing the due documentation procedures as followed by the O/o. the Official Liquidator in such case of handing over of properties.”

5.It is clear from the above that the office of the Official Liquidator is willing to handover the possession of the asset, after completing the documentation formalities.

In view of the above, this application is allowed as prayed for.

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N. ANAND VENKATESH, J.

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