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Comp. A. No.329 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Comp. A. No.329 of 2024
in
C.P. No.209 of 2003
and
Comp. A. No.258 of 2024

Comp. A. No.329 of 2024

The Official Liquidator,
High Court, Madras.

... Applicant

vs.

1. Tahsildar and 2 others

... Respondents

The Official Liquidator has filed Comp. A. No.329 of 2024 seeking to implead the Tahsildar, Gummidipoondi, National Highway Authority of India and TJS College of Engineering, Gummidipoondi as party respondents in Comp A. No.258 of 2024.

2. The Official Liquidator has filed Comp. A. No.329 of 2024 on the ground that TJS College of Engineering has encroached upon the property of the Company under Liquidation. The Official Liquidator has also sought to implead the Tahsildar, Gummidipoondi, National Highway Authority of India since some of the lands of the Company under



Comp. A. No.329 of 2024

Liquidation have been acquired by them and to ascertain the actual ownership of the Company under Liquidation, this application viz., Comp. A. No.329 of 2024 has been filed to implead the Tahsildar, Gummidipoondi, National Highway Authority of India as well. Since the Tahsildar is the Revenue Authority, the Official Liquidator has also sought to implead him as well as a party respondent.

3. Even though a counter has been filed by TJS College of Engineering, Gummidipoondi raising objections to the impleadment, this Court after giving due consideration to the averments contained in the affidavit filed in support of Comp. A. No.329 of 2024 is of the considered view that sufficient cause has been shown by the Official Liquidator for impleading TJS College of Engineering, Gummidipoondi as a party respondent in Comp. A. No.258 of 2024.

4. The National Highway Authority of India in their counter have stated that they are not a necessary party and Special District Revenue Officer / competent authority, Land Acquisition is the competent authority to decide the contentions of the Official Liquidator. It is for the Official Liquidator to implead a necessary party.

5. Insofar as the Tahsildar, Gummidipoondi is concerned in view



Comp. A. No.329 of 2024

of the contention of the Official Liquidator that certain encroachments have taken place, in respect of the property owned by the Company under Liquidation, the necessary impleading application will have to be allowed.

6. For the foregoing reasons Comp. A. No.329 of 2024 is allowed as prayed for and the Tahsildhar, Gummidipoondi, National Highway Authority of India and TJS College of Engineering, Gummidipoondi are impleaded as party respondents in Comp. A. No.258 of 2024.

7. The learned Official Liquidator is directed to carry out necessary amendments in terms of this order in Comp. A. No.258 of 2024.

8. Liberty is also granted to the Official Liquidator to file an appropriate application to implead any other party for the effective adjudication of Comp. A. 258 of 2024.

9. Post Comp. A. No.258 of 2024 on **14.02.2025**

24.01.2025

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Comp. A. No.329 of 2024

ABDUL QUDDHOSE, J.

vsi2

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24.01.2025