



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

WP Nos. 32829 & 32879 of 2025

1. Tamilnadu Industrial Investment
Corporation Limited
Rep. By Its Authorized Signatory Mrs.
S. Kathambari Having Registered
Office At No.692, Anna Salai,
Nandanam Chennai - 600035.

Petitioner(s) in both Petitions

Vs

1. The Registrar Of The National Company
Law Tribunal - Chennai Bench
Corporate Bhawan, II Floor, Beach Road,
Mannady, George Town, Chennai-600 001

2.S. Muthuraju,
Liquidator (Insolvency Professional)
Sleek Textiles Industries Limited
No.3, Sundaram Brothers Layout
Opp. to All India Radio, Trichy Road
Ramanathapuram, Coimbatore -641045

Respondent(s) in W.P.No.32829 of 2025

&

1. The Registrar Of The National
Company Law Tribunal - Chennai
Bench
Corporate Bhawan, Ii Floor, Beach
Road, Mannady, George Town,



Chennai-600 001

2.Sleek Textiles Industries Limited,
Having Its Registered Office At
No.1-A, Old Natham Road, Opp To
Balamandiram School Madurai
-625014, Represented By Mr. S.
Muthuraju, Liquidator

3.Mr. S. Muthuraju
Liquidator (Insolvency Professional)
Sleek Textiles Industries Limited Regn.
No.Ibbi/IPA-002/IP-N00009/2016-
17/10013 No.3, Sundaram Brothers
Layout Opp To All India Radio, Trichy
Road Ramanathapuram,
Coimbatore - 641045.

4.Mr. Sreenivasaga Reddiar Duraisamy
No.1-A, Old Natham Road,
Opp To Balamandiram School
Reserve Lines, Madurai - 625014.

5.Mr. Duraisamy Srinivasa Babu
No.1-A, Old Natham Road, Opp To
Balamandiram School Reserve Lines,
Madurai - 625014.

6.Mr. Duraisamy Bharat Babu
No.1-A, Old Natham Road,
Opp. To Balamandiram School Reserve
Lines, Madurai -625014.

Respondent(s) in WP.No.32829 of 2025

PRAYER in WP.No.32829 of 2025:

Calling for the records relating to the impugned order dated 07.03.2024 in M.A./56/2021 passed by the National Company Law Tribunal, Chennai Bench and the consequent order dated 31.07.2025 in MA/56/2021 and quash the same as arbitrary, illegal, sans authority, violative of principles of natural justice and contrary to law and consequently direct the National company Law Tribunal Chennai Bench to take up and decide CP/17/2022 and thereafter hear M.A./56/2021.



PRAYER in WP.No.32879 of 2025:

Calling for the records relating to the impugned order dated 31.07.2025 in CP/17/2022 passed by the National company law tribunal, chennai bench and quash the same as arbitrary, illegal, sans authority, violative of principles of natural justice and contrary to law

For Petitioner(s): Mr.Sandeep Kumar Ambalavanan

For Respondent(s): Mrs.S.Indumathi Ravi,
Senior Panel Counsel for Central Govt. For R1
Ms.Aishwarya.R For Mr.Adi Narayana For R2.

COMMON ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Under assail is the order dated 31.07.2025 in M.A./56/2021 and CP/17/2022 passed by the National Company Law Tribunal (NCLT), Chennai Bench.

2. Tamil Nadu Industrial Investment Corporation Limited is the petitioner. 2nd respondent moved a miscellaneous application before NCLT under Rule 11 of the NCLT Rules, 2016, seeking a direction to handover the original title deeds of the Corporate debtor to the Liquidator. NCLT passed an impugned order, directing the petitioner/ Tamil Nadu Industrial Investment Corporation Limited to handover the original deeds of the Corporate debtor to the Liquidator within a period of two weeks from the date of hearing.

3. Learned counsel for the petitioner would submit that charge exists as far as the petitioner corporation is concerned. Title deeds are deposited at the



time of borrowal and unless dues are cleared, Corporation may not be in a position to handover original title deeds. Tribunal has not verified the fact, whether the debt has been settled or not. By hearing the 2nd respondent, and believing the words of the 2nd respondent, direction has been issued. Therefore, impugned order is to be set aside.

4. Learned counsel appearing on behalf of the company would oppose by stating that the Tribunal recorded the fact that the debt has been fully settled. Therefore, the direction issued is in order.

5. Learned counsel for the liquidator is of the view that documents are directed to be handed over to the Liquidator. Therefore, no interference is necessary.

6. This Court is of the considered view that 2nd respondent filed miscellaneous application seeking a direction. Except the statement of the learned counsel appeared on behalf of the 2nd respondent that debt had been fully settled, Tribunal has not conducted any enquiry or verified the records to ensure that the debt has been fully settled. In the absence of any adjudication by affording an opportunity to all the parties, direction issued to handover the original title documents cannot be sustained.



7. Learned counsel for the petitioner would submit before this Court that debt exists and not settled in entirety and they had not been heard by the Tribunal. Therefore, the order is infirm. Any order passed affecting the rights of the parties must be issued only after hearing the parties to the lis. In the present case, considering the statement of learned counsel for the 2nd respondent/applicant before the NCLT, direction was issued to the handover the original title deeds of the corporate debtor to liquidator. The order, therefore, would cause prejudice to the interest of petitioner/corporation to realise the debts. That being the position, this Court is inclined to interfere with the order dated 31.07.2025 in M.A./56/2021 and CP/17/2022 passed by the National Company Law Tribunal (NCLT), Chennai.

8. Accordingly, order dated 31.07.2025 in M.A./56/2021 and CP/17/2022 are set aside and the present writ petitions are allowed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)

12-12-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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WP No. 32829 of 2025





To

1. The Registrar Of The National Company Law
Tribunal - Chennai Bench
Corporate Bhawan, II Floor, Beach
Road, Mannady, George Town,
Chennai-600 001



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**S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.**

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