



WEB COPY

APPLN No. 84 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

APPLN No. 161 of 2025

and

APPLN No. 84 of 2026

in

IP No. 94 of 2011

Appln No. 161 of 2025

M/s.Kotak Mahindra Bank Ltd
Asset Reconstruction Division, 1st Floor,
Ceebros Centre, 39, Montieth Road, Egmore,
Chennai-600 008.

..Applicant(s)

Vs

1. The Official Assignee
Madras High Court, Chennai-104,
As The Assignee Of The Estate Of Insolvent,
Late A.Ravishankar Prasad.
2. The Recovery Officer,
Debts Recovery Tribunal-II, Chennai,
Shastri Bhavan, Chennai-600 034.

..Respondent(s)

Prayer in Application No. 161 of 2025

Judges Summons filed under Order II Rule 1 of the Insolvency Rules 1958, read with Section 7, 21, 90 of the Presidency Town Insolvency Act 1909, praying to direct the Official Assignee to render all assistance to the 2nd Respondent, Recovery Officer of the Debts Recovery Tribunal, DRT-II, Chennai to attach and to associate himself with the Recovery Officer of the Debts Recovery Tribunal-II, at Chennai in the execution of DRC Nos.566 of 2017 and DRC No.41 of 2018 while the schedule properties are brought to sale



under the provisions of the Recovery of Debts and Bankruptcy Act, 1993 in due execution of the Certificates of Recovery against the Insolvent Late A.Ravishankar Prasad and his representative.

For Applicant(s): M/s.A.Saranya
For Mr.H.Karthik Seshadri

For Respondent(s): Mr.S.Santhanakumar
(Official Assignee)
(For R1)

Appln.No.84 of 2026

A. Sai Sivajothi

..Applicant(s)

Vs

1. Kotak Mahinda Bank Limited
Asset Reconstruction Division,
1st Floor, Ceebros Centre, 39,
Montieth Road, Egmore, Chennai-600 009.
2. The Official Assignee
High Court, Madras-104.
3. The Recovery Officer
Debts Recovery Tribunal II-Chennai,
Shastri Bhavan, Chennai-600 034.

..Respondent(s)

Prayer in Application No. 84 of 2026

Judge's Summons under Section 7 of the Presidency Town Insolvency Act III of 1909 read with Order II Rule 1 of the Insolvency Rules, praying to implead the applicant as the 3rd respondent in the Application No.161 of 2025 in I.P.No.94 of 2011.



WEB COPY

For Applicant(s):

Mr.J.Balagopal

For Respondent(s):

M/s.A.Saranya

For Mr.H.Karthik Seshadri
(For R1)Mr.S.Santhanakumar
(Official Assignee)
(For R2)**COMMON ORDER**

The application in Appln No.161 of 2025 had been taken out by the applicant, who is the petitioning creditor, seeking this Court's indulgence to direct the Official Assignee to render assistance through the Debt Recovery Officer for execution of the Debt Recovery Certificate, which has been issued against the insolvent and his properties.

2. It is to be noted that the primordial contention is that there has been inaction on the part of the Official Assignee and also that the properties had earlier been attached in the insolvency proceedings. Various orders have also been passed by this Court, seeking to protect the interest of the creditors in the property and at this juncture, the present application in the view of the Court, is wholly unnecessary and misconceived.

3. The Official Assignee can be directed by this Court to proceed with the assets and in that regard, there is no necessity to consider the prayer that had



been sought for. In such view of the matter, the application filed for impleading is also of no consequence.

WEB COPY

4. Accordingly, both the applications are dismissed and there shall be a direction to the Official Assignee to file a report regarding further action in the insolvency proceedings by 27.08.2026.

5. List the matter on 27.08.2026.

07-08-2026

kak

To

1. The Official Assignee
High Court, Madras-104.
2. The Recovery Officer
Debts Recovery Tribunal II-Chennai,
Shastri Bhavan, Chennai-600 034.



WEB COPY

APPLN No. 84 of 2



K.KUMARESH BABU J.

kak

**APPLN No. 84 of 2026
and
APPLN No. 161 of 2025
in
IP No. 94 of 2011**

07-08-2026