

In the High Court of Judicature at Madras

Dated : 20.12.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Company Petition No.31 of 2011

Ambal & Co., rep.by Partner,
Mr.S.Palanikumar, having office
at No.1, Ashokar Street,
Ramana Nagar, Perambur,
Chennai-11.

...Petitioner

Vs

C:ECHO India Private Ltd., having
its regd. office at Sriranga I floor,
New No.151, Old No.34, Mambalam
High Road, Chennai-17.

...Respondent

PETITION under Sections 433(e) read with 434(1)(a) and 439(1)(b) of the Companies Act, 1956, seeking to wind up the respondent company and to appoint the Official Liquidator, High Court, Madras **as the Liquidator** to take charge of the assets of the respondent company and for costs.

For Petitioner : No appearance

Mr.Achyuta Ramaiah, Official Liquidator

ORDER

Record of the proceedings shows that the petitioning creditor has not been diligent enough in prosecuting the matter. This Court issued notice to the respondent on 07.2.2011. Though service of notice on the respondent is completed, they did not enter appearance through counsel nor there is any

(2)

T.S.SIVAGNANAM,J
RS

representation. Further, by order dated 11.6.2012, this Court, while admitting the above company petition, directed the petitioning creditor to deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) with the learned Official Liquidator towards initial expenses. However, it is seen that the said order has not yet been complied with.

2. When the case came up for hearing during June 2016, it appears that a request was made by the learned counsel for the petitioning creditor to defer passing of any adverse orders so as to ascertain as to whether the petitioning creditor is willing to deposit the said sum of Rs.25,000/-. However, the learned Official Liquidator submits that till date, the order has not been complied with.

3. Though several other orders have been passed in the interregnum, in the light of the conduct of the petitioning creditor, the above company petition is dismissed.

20.12.2016

C.P.No.31 of 2011