

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P.(NPD) NO.3179 OF 2017

S.Nasar Ali

... Petitioner

Vs.

1.Ramasamy @ Karunthukarar
2.Rasu Annan
3.Thangarasu
4.Nallasivam
5.K.S.Alavudeen
6.Bhuvaneswari
7.Anwar Ali
8.Ajeez Bhai
9.A.Abuthahir

... Respondents

सत्यमेव जयते

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the rejection order passed in C.F.R.No.5140 of 2017 in Unnumbered I.P.No. / 2017 dated 04.04.2017 by the II Additional Subordinate Court, Erode.

For Petitioner : Mr.K.Gandhi Kumar

ORDER

The petitioner has filed the above Civil Revision Petition against the order dated 04.04.2017 passed by the II Additional Sub Judge, Erode, in C.F.R.No.5140 of 2017.

2. The petitioner has filed a debtor petition for adjudication to declare him as insolvent. In so far as the debtor petition is concerned, presenting the debtor petition itself is an act of insolvency. In the present case on hand, the petitioner has shown liability to the tune of Rs.18,75,000/-, whereas he is having lesser than Rs.500/-. When he presented the petition before the learned Sub Judge, it appears that a submission was made by the petitioner that he is in possession of TVS 50 XL, Television and Mixie.

3. The learned counsel for the petitioner would submit he is not the owner of the TVS 50 XL and the Television and Mixie are freebies given by the State Government.

4. Therefore, considering the facts and circumstances of the case, a direction is issued to the learned II Additional Sub Judge, Erode, to number the insolvency petition presented by the petitioner and take appropriate proceedings.

5. The Civil Revision Petition is disposed of accordingly. No costs.

Index : Yes/No

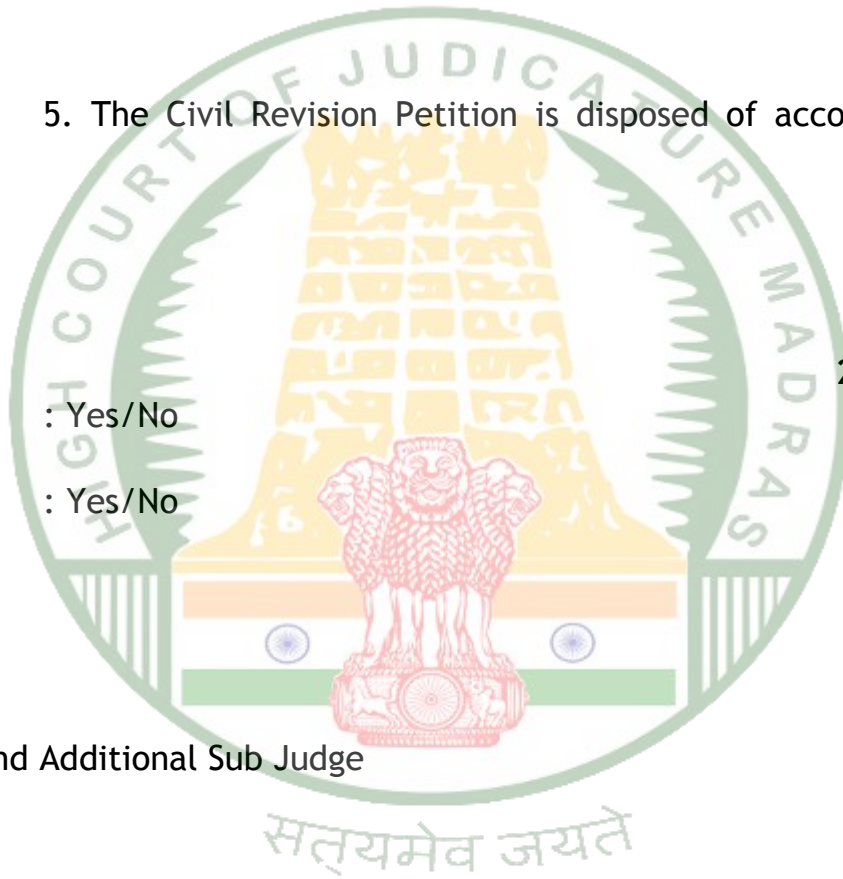
Internet : Yes/No

TK

To

The Second Additional Sub Judge
Erode.

24.10.2017



WEB COPY

M.GOVINDARAJ, J.

TK



C.R.P.(NPD) NO.3179 OF 2017

WEB COPY

24.10.2017