

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2017

CORAM

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**

Company Petition No.380 of 2015

Trilogiq Modular System India
Private Limited,
18/1B, Anunpalli Agraharam,
Begampalli Road,
Zuzuvadi Village, Hosur - 635 126. .. Petitioner

Petition filed under Sections 433(a) and (f) and 439 (i) (a) of the
Companies Act, 1956 for winding up.

For Petitioner : Mr.Guru Dhananjay
for Mr.Badri Natarajan

ORDER

This is a petition seeking to wind up the petitioner company
voluntarily and for appointment of the Official Liquidator as the
Liquidator to take over the assets of the petitioner company.

2. Heard the learned counsel for the petitioner.

3. Notice was ordered to the Registrar of Companies on 24.08.2015. The notice was also served on the Registrar of Companies.

4. The petitioner company was established for the business of manufacturing, trading, import and export of modular stock system to be used by industrial and non-industrial entities. The petitioner suffered loss and the balance sheet dated 31.3.2004 is annexed in Annexure 3. Due to recession in the trade and severe competition from other persons of the same trade, the debts mounted and the secured loans to the huge extent became due and payable as on 31.03.2004. Since revival is impossible, a special resolution has been passed for winding up of the petitioner company voluntarily in terms of Section 433(a) of the Companies Act. The special resolution dated 24.06.2005 is annexed in Annexure 1. Thereafter, the above company petition has been filed.

5. The company petition is of the year 2015. It is seen that though the paper publications were directed to be effected in one issue of English Daily "Hindu Business Line" and in one issue of Tamil Daily "Makkalkural", having circulation in the locality and accordingly the

same was effected. Therefore, it is evident that the ingredients of Section 433(a) are satisfied and that the petitioner company is liable to be wound up voluntarily. There appears to be no claim by any of the creditors.

6. Therefore, the above company petition is allowed and the petitioner company is ordered to be wound up and the Official Liquidator, High Court, Madras is appointed as the Liquidator and is directed to take charge of the assets of the petitioner company. The Ex-Directors of the petitioner company are directed to file their statement of affairs before the Official Liquidator within a period of 21 days. The petitioner shall deposit a sum of Rs.10,000/- towards initial expenses before the Official Liquidator in this matter.

सत्यमेव जयते

15.12.2017

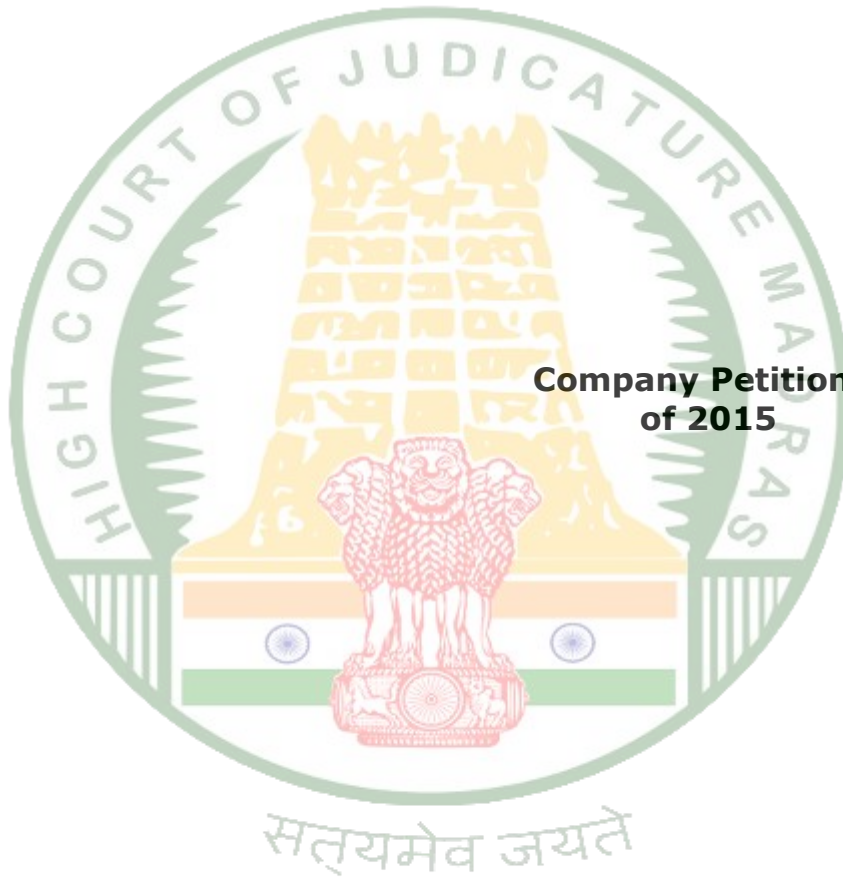
Index:Yes/No

mmi

WEB COPY

M.M.SUNDRESH,J.

mmi



**Company Petition No.380
of 2015**

15.12.2017

WEB COPY