

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.11.2018

CORAM:

THE HON'BLE MR. JUSTICE S.MANIKUMAR
and
THE HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

W.P.No.23448 of 2017

Southern Polypet Private Limited
having its Registered office at:
40/5, Sathyamoorthy Street
Devaraj Nagar Main Road
Dasarathapuram, Saligramam
Chennai - 600 093

Now having its office at:
No.3, 10th Street, Kamarajar Road
TASS Industrial Estate, Ambattur
Chennai - 600 098

... Petitioner

Vs.

1.The Union of India
Represented by Secretary to Government
Ministry of Corporate Affairs
'A' Wing, Shastri Bhawan, Rajendra Prasad Road
New Delhi - 110 001

2.M/s.Eastern Plastix
Represented by its Managing Partner
Mr.V.Chandrasegaran
No.98/12, SIDCO Industrial Estate
Thirumudivakkam, Chennai - 600 044

3.National Company Law Tribunal,
Chennai Bench
Represented by the Registrar
Corporate Bhavan, 3rd Floor,
29, Rajaji Salai,
Chennai - 600 001

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for a writ of declaration, declaring Sections 5, 8, 9, 13, 14, 17, 20, 25, 29(2), 30, 31 of the Insolvency and Bankruptcy Code, 2016 read with Rule 8 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, as contrary to Articles 14, 19 and 21 of the Constitution of India.

For Petitioner : Ms.Goda Raghavan
For Respondents : Mr.G.Karthikeyan,
Assistant Solicitor General of India
for R1

J U D G M E N T

(Order of the Court was made by SUBRAMONIUM PRASAD, J.)

Instant writ petition has been filed for a writ of declaration, declaring Sections 5, 8, 9, 13, 14, 17, 20, 25, 29 (2), 30, 31 of the Insolvency and Bankruptcy Code, 2016 read with Rule 8 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, as contrary to Articles 14, 19 and 21 of the Constitution of India.

2. Ms.Goda Raghavan, learned counsel on record for the petitioner submitted that the writ petition be dismissed as withdrawn. She has also made an endorsement to that effect.

3. Placing on record the submission and the endorsement, the writ petition is dismissed as withdrawn. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Union of India, Ministry of Corporate Affairs
'A' Wing, Shastri Bhawan, Rajendra Prasad Road
New Delhi - 110 001

2.National Company Law Tribunal, Chennai Bench
Represented by the Registrar
Corporate Bhavan, 3rd Floor,
29, Rajaji Salai, Chennai - 600 001

+1 cc to Mr.Aniruth Krishnan, Advocate SR.No.78102

+1 cc to M/s.Venkataswamy, Advocate SR.No.78372

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CSL/06.12.2018