



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD) (PD)No.1908 of 2018

A.Sahul Hammed ...Petitioner / Petitioner
/Vs./

1.Tirupati Agro Product Mill,
Represented by its Managing Director,
Uchalan, Nandapur P.O.,
Burdwan, Madhabdihi District,
Andra Pradesh.

2.Sri Kamatchi Rice Mill,
Represented by its Managing Director,
No.48, North Street,
Maradi Post, Thuraiyur,
Trichy District.

3.Sri Lakshmi Srinivasa Agro Foods,
Represented by its Managing Director,
No.31/1, 43/3, N.H.4, Tumkur Road,
Vishvoshwarapuram Village,
Neelamangala,
Bangalore District - 562 123,
Karnataka.

4.Arul Ayyanar Rice Mill,
Represented by its Managing Director,
No.43/243, Rahuman Nagar,
Sinthamani Road,
Madurai - 625 009.

5.Sri Hanuman Rice Industries,
Represented by its Managing Director,
A.P.M.C.Yard, Batawardi, Tumkur,
Bangalore District - 572 103,
Karnataka.

6.S.M.C.Hi-Tech Modern Rice Mill,
Represented by its Managing Director,
Saavadi Nalroad,
Kankeyam, Tirupur District.

7.M.S.Industries,
Represented by its Managing Director,



Manchaipur Road,
Raichur District - 584 102.

8.Sri Sankar Rice Mill,
Represented by its Managing Director,
Rajapalayam Bye Pass Road,
Srivilliputhur,
Virudhunagar District.

9.Sri Lakshmi Narasimha Industries,
Represented by its Managing Director,
Manchaipur Road,
Raichur District - 584 102,
Karnataka.

10.Sri Veerabadhreswara Rice Mill,
Represented by its Managing Director,
Raichur Road, Gangavathi,
Koppal District - 583 227,
Karnataka.

11.Sri Varalakshmi Industries Drier Rice Mill,
Represented by its Managing Director,
Badagumpa Road, Karatagi,
Koppal District - 583 227,
Karnataka.

12.Krishnamoorthy

13.Punniya Gurunathan Pillai @ Gurunathan Pillai

14.N.Pandiayarajan

15.Sakila

16.Subramani

17.M/s.Bajaj Finance (Personal Loan Service),
Represented by its Branch Manager,
No.C84, First Floor,
R.S.Towers, 5th Cross, Thillai Nagar,
Trichy - 18.

18.M/s.Kinara Capital Finance Co. Ltd.,
Represented by its Managing Director,
No.13, 14, 3rd Floor,
Ram Arcade Towers,
11th Cross Main Road,
Thillai Nagar, Trichy - 18.

19.S.K.Traders,
Represented by its Managing Director,
No.49/7B, Kallakudi,
Lalgudi Taluk, Trichy District.



Rice Mill Industries,
Represented by its Managing Director,
No.869, Tharapuram Road,
Kankeyam, Tirupur District.

22.A.P.R.Modern Rice Mill,
Represented by its Managing Director,
Vangarampatti, Mullipattti,
Mathur Post, Manikandam Union,
Trichy District.

23.S.Rajesh

24.Vannimuthu

25.Kumar

26.Murugesan

27.Akbar Ali

28.G.R.K.Modern Rice Mill,
Represented by its Managing Director,
No.44-A1 & 44-B, Ganapathi Nagar,
Ariyamangalam, Trichy - 8.

29.Sadiq Bai

30.Akshaya Rice Store,
Represented by its Proprietor Pandiayarajan,
No.2640, Ayyankadai Street,
Old Bus Stand, Tanjore.

31.Sakthi ...Respondents / Respondents

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to direct the II Additional Subordinate Judge, Trichy, to number the Insolvency Petition in I.P.SR.No.78 of 2018 and dispose the same on merits and allow the civil revision petition.

For Petitioner : Mr.M.Saravanan
for Mr.R.Subramanian

ORDER

The revision petitioner wants to number his Insolvency Petition in I.P.SR.No.78 of 2018 filed before the II Additional Subordinate Judge, Trichy.

2. It appears that the petition filed by the revision petitioner herein was returned on the ground that he must move the Debts Recovery Tribunal. The relevant chapters of IBC, 2016 have not been notified till date. Therefore, the only remedy open to the petitioner is to move the Court below. The Court below is directed to number the Insolvency Petition in I.P.SR.No.78 of 2018, if it is otherwise in order.



3. With the above direction, the Civil Revision Petition is allowed. No costs.

4. The Registry is directed to return the Insolvency Petition in I.P.SR.No.78 of 2018 filed by the revision petitioner in original.

Sd/
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar(CS-I)

To

The II Additional Subordinate Judge, Trichy.

Copy to:
The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Subramanian, Advocate, SR.No.81800

C.R.P. (MD) (PD)No.1908 of 2018
03.09.2018

SM
KK/SV/SAR-1/05.09.2018/4P-4C