

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice C.SARAVANAN

A.S.No.986 of 2008

The State of Tamil Nadu rep. by
Collector of Nilgiris
at Ootacamund.

.. Appellant

Vs

The Hindustan Photo Films
Manufacturing Company Limited
rep. by its Managing Director,
Hindustan Photo Films Manufacturing
Company Limited, Indunagar,
Udhagamandalam, Nilgiris.

..Respondent

Appeal preferred under Section 96 C.P.C. against the
judgment and decree dated 03.10.2007 made in O.S.No.46 of 2004
on the file of the District Judge, Nilgiris at Ootacamund.

For Appellant .. Mr.J.Balagopal,
Spl. Govt. Pleader

For Respondent .. Mr.S.Kingston Jerold
JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This appeal is preferred against the judgment and decree
dated 03.10.2007 made in O.S.No.46 of 2004 on the file of the
District Judge, Nilgiris at Ootacamund.

2.Heard the Special Government Pleader appearing for the
appellant and the learned counsel appearing for the respondent.

3.We are not inclined to go into the merits of the matter. Admittedly, the respondent is a company under liquidation and winding up proceedings are pending. In such view of the matter, the remedy open to the appellant is to file an appropriate claim petition, if so advised. Accordingly, this appeal stands dismissed. No costs.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

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To

1.The District Judge, Nilgiris at Ootacamund.

2.The Section officer

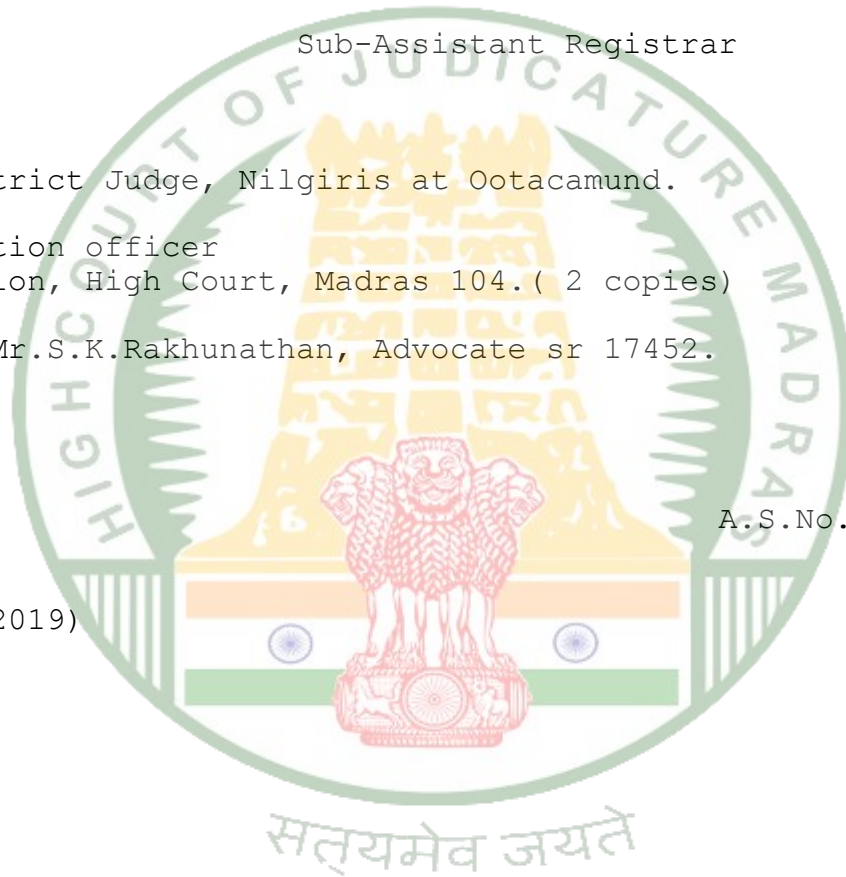
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+1 CC to Mr.S.K.Rakhunathan, Advocate sr 17452.

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BR (CO)

SP (01/04/2019)



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