

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(IN INSOLVENCY)

MONDAY, THE 14th DAY OF OCTOBER 2019

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

APPLN.111 OF 2019

in

I.P. No.118 of 2002

In the matter of Presidency
Town Insolvency Act, III of
1909 in the matter of
R. Baghavathi Sundarambal
...Debtor

IP No. 118 of 2002

R. Baghavathi Sundarambal
W/o. S. Ramu Achari
residing at Old No.11, New NO.5,
Siraj Street, Ayyavou Colony,
Aminjikarai, Chennai - 600 029. ... Petitioner / Debtor

APPLN.NO.111 OF 2019

R. Baghavathi Sundarambal ... Applicant-Debtor/
Insolvent

-VS-

The Official Assignee
High Court, Madras, rep.
The estate of Bhagavathi Sundarambal
in IP.No.118/2002
Representing the body of Creditors ... Respondent

Application praying that this Hon'ble Court be
pleased to condone the delay of 5655 days in filing the
discharge petition in insolvency proceedings in I.P.No.118
of 2002.

The above application coming on this day before this
court, for hearing in the presence of Mr.S.Silambanan, Senior
Counsel for M/s.M.S.Paandiyan, advocate for the Applicant-

Debtor/Insolvent, the Official Assignee, the respondent herein; and the judges Summon and Affidavit of R.Bhagavathi Sundarambal filed herein and

THE COURT MADE THE FOLLOWING ORDER :

This application is filed by the applicant/Insolvent seeking to condone the delay of 5655 days in filing the discharge petition in I.P.No.118 of 2002.

2. The debtor was adjudicated as an insolvent on 11.07.2002. The only reason given in the affidavit is that the husband of the insolvent died and her son was murdered and due to these events, she could not file the discharge petition in time.

3.The learned Official Assignee opposed to allow this application, as no sufficient particulars are given in the affidavit.

4. Considering the plight of the widow, who is the Insolvent, this Court is inclined to allow this application.

5. Accordingly, the delay is condoned on condition that the applicant/Insolvent shall pay costs of Rs.10,000/-

(Rupees ten thousand only) to the Indian Red Cross Society, Tamil Nadu Branch, Old No.50, New No.32, Red Cross

Road, Egmore, Chennai-600 008 within a period of four weeks from the date of receipt of the order, failing which, the application shall stand dismissed automatically without further reference to this Court.

6. This application is allowed accordingly.

WITNESS, THE HON'BLE DR.JUSTICE VINEET KOTHARI,
ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS, AFORESAID THIS
THE 14TH DAY OF OCTOBER 2019.

SD/-

ASSISTANT REGISTRAR
Original Side - I

//CERTIFIED TO BE TRUE COPY//
DATED THIS THE DAY OF 2019

MANAGER
INSOLVENCY OFFICE

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cns- 21.10.2019

HIGH COURT, MADRAS

APPLN.NO.111 OF 2019

in

I.P. No.118 of 2002

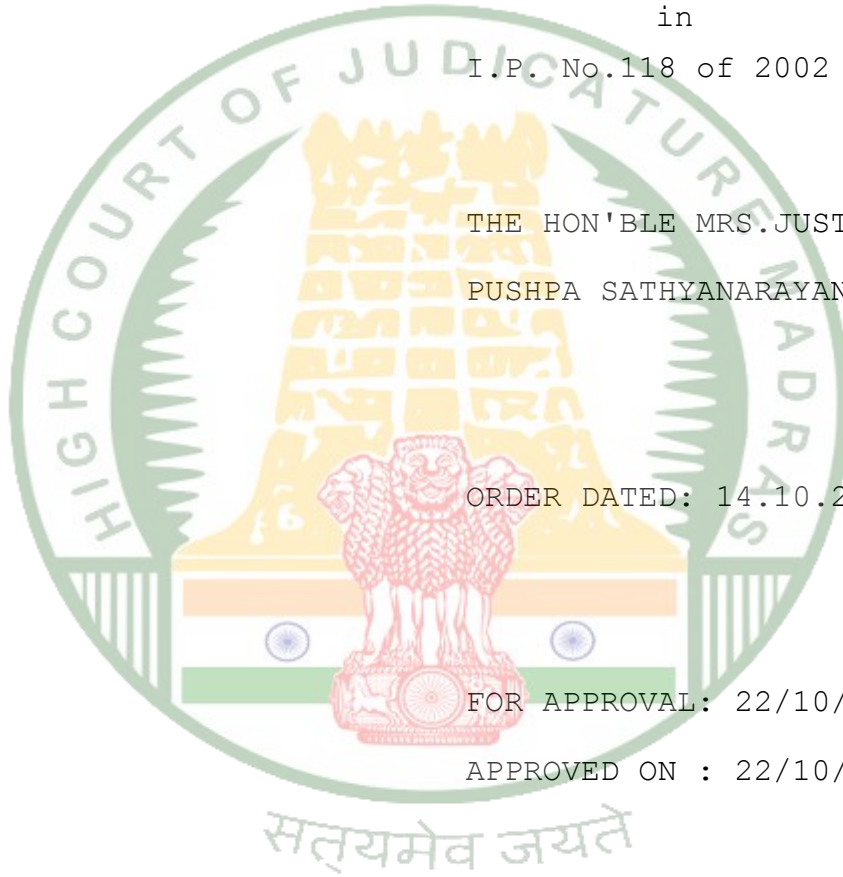
THE HON'BLE MRS.JUSTICE

PUSHPA SATHYANARAYANA

ORDER DATED: 14.10.2019

FOR APPROVAL: 22/10/2019

APPROVED ON : 22/10/2019



COPY TO:-

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1.THE OFFICIAL ASSIGNEE
HIGH COURT, MADRAS.

2.The Indian Red Cross
Society,
Tamil Nadu Branch,
Old No.50, New No.32,
Red Cross Road, Egmore,
Chennai-600 008