Comp.A.No.412 of 2019
in
C.P.No.54 of 2015

SENTHILKUMAR RAMAMOORTHY,J.

This application is filed to seek permission for appointment of a Chartered Accountant to audit the books and accounts of the two schools of the company in liquidation and for ancillary orders in this regard.

2.I heard the Deputy Official Liquidator. The Deputy Official Liquidator submits that it is necessary to conduct an audit of the accounts of the two schools at Dharmapuri and Hosur so as to understand the current financial status of the two schools before taking further steps to bring the said schools for sale. He also filed a report dated 30.10.2019 in support of the said application.

3.Upon consideration of the oral submissions of the Deputy Official Liquidator and the report dated 30.10.2019, the following is noticeable.

(i)Mr.G.P.Jayaprakash, Gudiyatham was appointed by this Court on 27.07.2017 and pursuant to the said order, the said

Chartered Accountant submitted the audit report for the financial year 2015-2016 and 2016 – 2017.

(ii) It is further seen from the report that the accounts of these schools have not been audited for the financial year 2017 – 2018 onwards. In effect, the said audit is required to be conducted for the financial years 2017 – 2018 and 2018 – 2019.

(iii)It is also stated in the said audit report that the income tax returns have not been filed for the financial years 2016 – 2017 and 2017 – 2018.

4.Upon consideration of the above facts, it is clear that this application is liable to be allowed. Therefore, the following directions are issued:

(i)The Official Liquidator is permitted to appoint Mr.G.P.Jayaprakash, Chartered Accountant, Gudiyatham to conduct an audit of the accounts of M/s.Achievers Academy MHSS, Sungarahalli, Dharmapuri and M/s.Achievers Academy MHSS at Hosur for the financial years 2017 – 2018 and 2018 – 2019 and also to assist in the preparation and filing of income tax returns for the said financial years.

(ii)The initial fee for carrying out such audit shall be Rs.50,000/- per school for both the financial years mentioned above.

(iii)The Official Liquidator is permitted to incur expenses towards auditing and filing of income tax returns from and out of the funds of the company in liquidation and in case such funds are insufficient to need the same from the common pool funds and thereafter reimburse the common pool fund upon realisation of sale proceeds from the assets of the company in liquidation.

4.This Application is disposed of on the above terms.

15.11.2019

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