

Comp.A.No.432 of 2019

and  
C.P.No.34 of 1998

**SENTHILKUMAR RAMAMOORTHY.,J.**

This application is filed to publish notice to invite the contributories to prove the claim by issuing a paper publication and for incidental and ancillary orders in this regard.

2. I heard the Deputy Official Liquidator.

3. The Deputy Official Liquidator submits that pursuant to the order dated 13.09.2013 of this Court, claims were invited from the creditors of the company in liquidation. In response thereto, only one claim was received from the petitioning creditor for a sum of Rs.31,81,743/-. Upon receipt of such claim, the Official Liquidator issued Form 68 to the said claimant and called upon the claimant to submit original documentary evidence to substantiate the claim. He further submits that the said claimant did not submit the original documents, in spite of issuing five reminder letters to the claimant. Consequently, the Official

Liquidator rejected the claim and issued Form 69 on 26.08.2019 in respect thereof. He further submits that the statement of affairs filed by the ex-directors of the company in liquidation discloses that there are 48 equity share holders holding 4819 equity shares of Rs.100/- each and 7 share holders holding 100 deferred shares of Rs.1/- each. It is further submitted that the company in liquidation has a sum of Rs.74,94,900.51/- to its credit, as on 31.10.2019. Therefore, the Official Liquidator has taken out the present application to invite claims from the contributories.

4. Upon considering the submissions of the Deputy Official Liquidator and on examining the report dated 07.11.2019, in support of this application, it is just and necessary that this application be allowed in view of the availability of the sufficient funds.

5. Accordingly, the following directions are issued:

(i) The Official Liquidator is permitted to publish a notice to contributories to call upon them to prove their claim / extent of interest held by them in the company in liquidation in the prescribed form in one issue of the

English daily “The New Indian Express” in all India edition and one issue of the Tamil daily “Dinamani” in Tamil Nadu edition.

(ii) The Official Liquidator is permitted to incur the expenses relating to publication from and out of the funds of the company in liquidation.

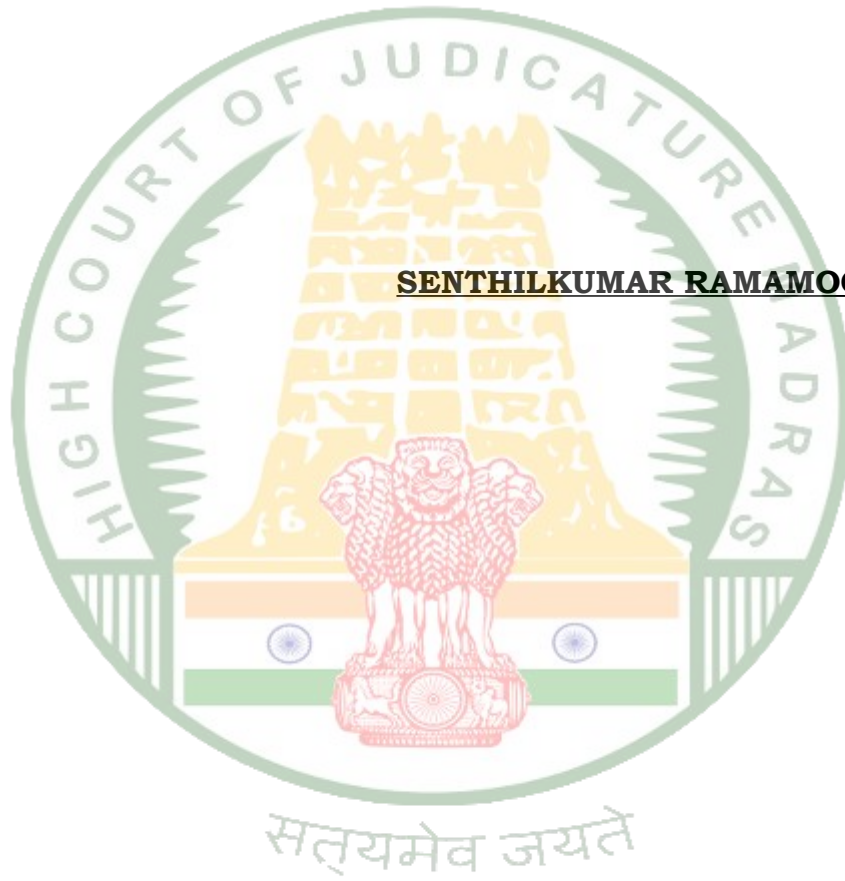
(iii) The Official Liquidator is permitted to incur incidental or ancillary expenses in this regard from and out of funds available to the credit of the company in liquidation.

6. This application is disposed of on the above terms. No costs.

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29.11.2019

Pns



**SENTHILKUMAR RAMAMOORTHY.,J.**

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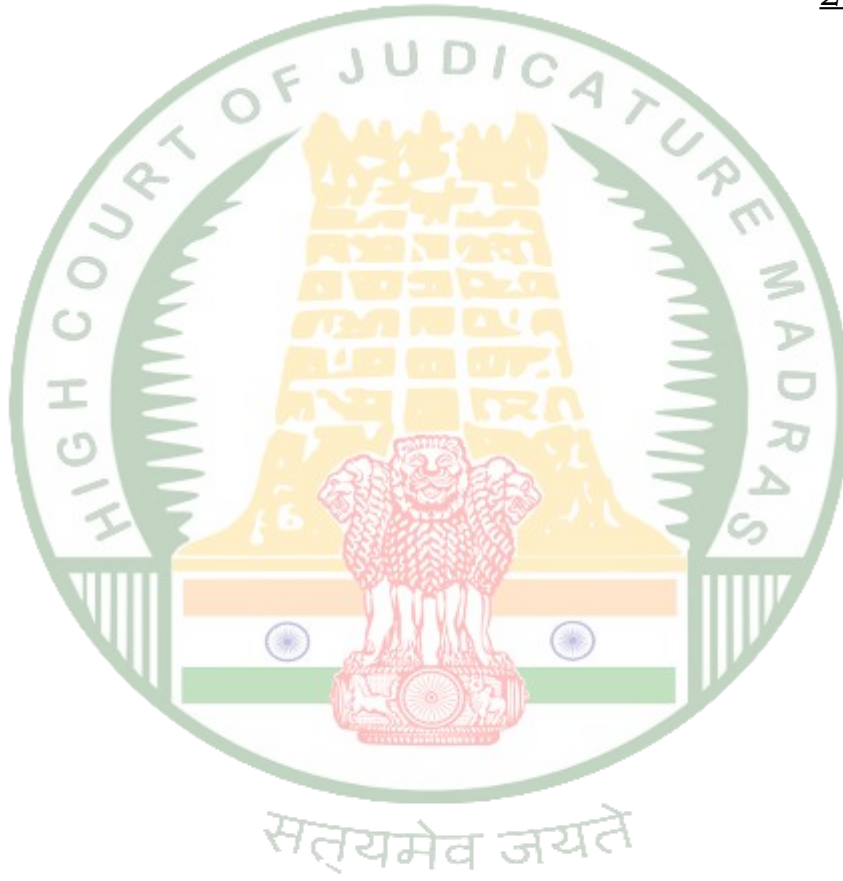
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