



I.P.Nos.97 and 101 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

I.P.Nos.97 and 101 of 2005

M/s.Daluram Finance and Investment,
Company rep by its Partner,
J.Harishankar Agarwal

... Petitioning Creditor in both petitions

Vs.

V.Ramkumar

...Debtor in both petitions

Insolvency Petition filed under Section 9, 10, 11, 12 and 13 of the
Presidency Towns Insolvency Act and Order IIIA of the Insolvency Rules
to

(a) treat this petition as urgent;
(b) adjudicate the debtors as an insolvent;
(c) direct that the estate of the debtors be vested in the
Official Assignee of Madras, for the benefit of the General
Body of creditors of the debtors;

(d) order that the costs of this petition paid by the
official Assignee of Madras, from and out of the estate of the
debtors to the petitioning creditor;

For Petitioner

in both petitions : Mr.T.Srikanth

For Respondent

in both petitions : Mr.K.Magesh, for M/s.J.Balagopal



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COMMON ORDER

This Insolvency petition is filed to

- (a) treat this petition as urgent;
- (b) adjudicate the debtors as an insolvent;
- (c) direct that the estate of the debtors be vested in the Official Assignee of Madras, for the benefit of the General Body of creditors of the debtors;
- (d) order that the costs of this petition paid by the official Assignee of Madras, from and out of the estate of the debtors to the petitioning creditor;

2. The learned counsel for the respondent would submit that the respondent in these petitions was adjudicated as insolvent in I.P.No.127 of 2002 vide order dated 28.10.2002 and in I.P.No.123 of 2003 vide order dated 12.03.2004.

3. Therefore, since the debtor was already adjudicated as insolvent, this Court is of the considered view that no further adjudication order is required.

4. In such view of the matter, this Court is inclined to dismiss this petition by granting liberty to the petitioner to file their claims before the



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learned Official Assignee, within a period of 8 weeks from the date of receipt of copy of this order, who will adjudicate their claims in accordance with law.

5. In the result, no further order is required in these petitions.

Therefore, these petitions are dismissed with the aforesaid liberty.

17.04.2023

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation: Yes / No

nsa



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KRISHNAN RAMASAMY.J.,
nsa

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