



W.P.No.3066 of 2009

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.01.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.3066 of 2009

Sri Karunambikai Mills Ltd.
rep. by its Executive Director,
Post Box No.2, Mills Road, Somanur (Post)
Coimbatore – 641 668, Tamil Nadu.

... Petitioner

Vs

- 1.The Commissioner cum Secretary to Government,
Agricultural Production Department
Fort St.George, Chennai – 600 009.
- 2.The Secretary,
Coimbatore Market Committee,
Trichy Road, Ramanathapuram,
Coimbatore – 641 045.
- 3.Superintendent of Market,
Regulated Market,
Coimbatore Market Committee,
Avanashi, Coimbatore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records from the 1st respondent pertaining to the Ref.No.367 dated 24.12.2008 and quash the same and forbear the respondents from collecting the cess under Sec.24 (1) of the Act pursuant to the demand notice dated 19.05.2008 bearing LR.No.125/2007.



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For Petitioner : Mr.D.S.Rajasekaran
for Mr.Rohan Rajasekaran
for Official Liquidator

For Respondents : Mr.Alagu Gowtham, [for R1]
Government Advocate.
No appearance [for R2 & R3]

ORDER

The petitioner is the Sri Karunambikai Mills Limited. A liquidator was appointed to manage the affairs of the petitioner company by the National Company Law NCLT (in short 'NCLT') and a status report has been filed by the liquidator Mr.A.R.Ramasubramania Raja through his counsel Mr.Rohan Rajsekaran.

2.A petition was filed on 26.09.2018 under the provisions of the Insolvency and Bankruptcy Code, 2016 (in short 'Code'). One. Mr.K.Ranganathan Seshadri was initially appointed as Interim Resolution Professional. Paper publication/public announcement calling for claims was made on 29.09.2018 and thereafter a meeting of the Committee of creditors was held.

3.The liquidator was appointed on 27.11.2018 and the procedure for Corporate Insolvency Resolution process undertaken. Status report dated 06.01.2023 reveals that neither of the respondents have filed claims thus far. The



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ball, thus, now lies in the court of the respondents to put forth their claims before the official liquidator at the earliest and such claims, if and when filed, will be settled in accordance with law within a period of four (4) weeks from institution. Mr.Goutham, learned Government Advocate assures the Court that the claims will be filed within a period of four (4) weeks from today.

4. Such claims, once filed, will be decided by the official liquidator in accordance with law and in accordance with the process of Corporate Insolvency Resolution Process (CIRP) before the NCLT.

5.In the aforesaid circumstances, the impugned order stands confirmed as the petitioner, the official liquidator does not advance any submissions assailing the impugned order or the demand made thereunder.

6.Recording this, this writ petition is dismissed. No costs.

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Index : Yes / No

Speaking Order/Non-Speaking Order



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Dr.ANITA SUMANTH, J.

kbs

To

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