



Comp.A.No.142 of 2022

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in C.P.No.279 of 2016

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KRISHNAN RAMASAMY, J.,

This application was filed under Section 446(2) of the Companies Act for the reliefs stated in the application.

2. Based on the information received and the statement of affairs filed by the company and also according to the learned Official Liquidator, the respondent is liable to pay a sum of Rs.1,87,175/-. The Official Liquidator issued a demand notice on 15.03.2018 and a reminder notice on 12.10.2022 to the respondent. However, even after receipt of these notices, the respondent has not come forward to settle the dues. Hence, this application is filed.

3. Though, the notice was ordered in this application and the same was served on the respondent and also the name of the respondent was printed in the cause list, none appeared on behalf of the respondent.



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This shows that the respondent is not interested to contest this matter.

Hence, the respondent was set ex-parte.

4. Upon hearing and perusal of documents available on record, this Court satisfied that the Official Liquidator claim is proved and accordingly, the learned Official Liquidator is entitled for the relief as sought in the application.

5. Further the learned Official Liquidator submitted that the respondent had also mortgaged the property to the secure the debts. Hence, in the event of failure of the respondent to pay the outstanding amount as decreed by this Court, this Court may permit the learned Official Liquidator to sell the property.

6. If the amount is not repaid subsequent to the communication of this order, the learned Official Liquidator is granted liberty to sell the property mortgaged to secure the present debt.



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WEB COPY 7. Accordingly, this application is ordered as prayed for.

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