



I.P.No.9 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

CORAM

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

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A.Thangaiah

.. Petitioning Creditor

-VS-

S.P.Muniyandi

.. Respondent/debtor

Petition under Sections 9(g) and 10 to 12 of the Presidency Towns Insolvency Act III of 1909 has been filed seeking to adjudicate the respondent/debtor as Insolvent and to direct the administration of the Estate in a regular manner and provide costs to the petitioner from and out of the Estate.

For Petitioner : No Appearance

For Respondent : No appearance

Mr.V.Devanathan, Official Assignee, appeared.



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ORDER

This petition is of the year 2015. There is no representation for the creditor. A report has been filed by the Official Assignee dated 08.09.2023, which stated that the Official Assignee had scheduled a meeting of the creditors on 31.08.2023. The Official Assignee has also stated that the notice for the said meeting was sent to all the 216 creditors as shown by the insolvent in his schedule of affairs. In the creditor meeting held on 31.08.2023, totally 17 creditors attended and they were informed about the scope of the meeting. According to the Official Assignee, none of the creditors have disclosed any property standing in the name of the insolvent or any alienation of property by the insolvent within 2 years prior to the date of adjudication. It is also stated by the Official Assignee that 17 creditors have also stated that they do not know the present whereabouts of the insolvent. The Official Assignee further stated that none of the creditors have filed claim petition before the office of the Official Assignee till date.

2. No useful purpose will be served if the petition is kept pending as



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it is of the year 2015. There is no representation on the side of the petitioner. Hence, it may be inferred that the petitioner is not interested in prosecuting this insolvency petition. Accordingly, this insolvency petition is dismissed for non-prosecution.

11.09.2023

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ABDUL QUDDHOSE, J.

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Arb.Appln. No.409 of 2023

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