



WEB COPY



I.P. No. 27 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2023

CORAM

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

I.P. No. 27 of 2022

M/s. Gopaldas Daga, HUF,
a Hindu Undivided Family Firm
Rep. by Power of Attorney Agent,
Mr. Krishna Kumar Rathi,
No. 440/1, Mint Street,
Near Ramar Koil,
Chennai – 600 079.

... Petitioning Creditor

Vs.

Mr. V.S.Suresh

... Debtor

Prayer:- Insolvency Petition filed under Sections 9, 10, 11, 12 and 13 of the Presidency Towns Insolvency Act, 1909 and Order III-A of the Insolvency Rules, 1958, praying:-

- (a) to treat this petition as urgent;
- (b) to adjudicate the debtor as insolvent;
- (c) to direct that the estate of the debtor be vested in the Official Assignee of Madras, for the benefit of the General body of Creditors of the Debtor; and
- (d) to order that the costs of this petition paid by the Official Assignee of Madras, from and out of the estate of the Debtor to the Petitioning Creditor.

For Petitioning Creditor : Mr. T.Srikanth

For Debtor : No appearance
Official Assignee : Mr. V.Devanathan



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ORDER

The learned Official Assignee submits that the respondent/debtor, viz., V.S.Suresh, had been declared as insolvent in I.P. No. 11 of 2020 vide order dated 12.09.2022.

2. Since the respondent had already been declared as insolvent, the petitioner in the present petition is permitted to make his claim before the learned Official Assignee. On receipt of such claim, the learned Official Assignee shall adjudicate the same. In such circumstances, no further orders are required in this petition. However, in the event of the declaration of the respondent as insolvent is annulled or stayed for any reason, the petitioner in the present petition is granted liberty to revive this petition.

This petition is dismissed with the aforesaid observations. No costs.

09.01.2023

vjt

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order



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KRISHNAN RAMASAMY, J.

vjt

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