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Comp.A.No.616 of 2023

Comp.A.No.616 of 2023
in
C.P.No.143 of 2015

C.SARAVANAN, J.

This Company Application has been filed by the Official Liquidator to take possession of the properties of the Company, which is under Liquidation.

2. Paragraphs 2 to 5 of the report of the Official Liquidator which accompanies the Judges Summons reads as under :

“2. That the Hon'ble High Court, Madras by an order dated 21.01.2016 in C.P.Nos.143 to 145/2013 & 414 to 416/2015 appointed the Official Liquidator attached to this Hon'ble Court as the Provisional Liquidator of M/s.Helios & Matheson Information Technology Limited with directions to take charges of the assets and effects of the company in Provisional Liquidation. The Official Liquidator has taken possession of Registered Office on 12.02.2016 and other premises of company on 15.12.2016.

3. That It is submitted that the Hon'ble Division Bench, Madras vide its order dated 15.02.2016 in CMP.No.2253 of 2016 in OSA



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No.19 of 2016 granted interim stay on all further proceedings pursuant to the impugned order dated 21.1.2016 in C.P.No.143/2015. Therefore, the Official Liquidator has handed over back the possession of the premises to the management on 15.2.2016. A copy of the order dated 15.2.2016 is enclosed with the report as ANNEXURE-A.

4. That it is submitted that vide order dated 20.03.2023 in CMP.No.10363/2016 in OSA.No.19/16, the Hon'ble Division bench has vacated the interim stay of winding up proceeding of the company in liquidation and also the Hon'ble Division Bench directed the Registrar of High Court, Madras to print the name of Official Liquidator, so that the Official Liquidator may be in a position to comply with any further direction as may be required in the proceedings. A copy of the order dated 20.03.2023 is enclosed with this report as ANNEXURE-B.

5. That the Official Liquidator submits that pursuant to the abovesaid order, the Official Liquidator has to initiate steps for liquidation of the company in provisional liquidation. Therefore, the Official Liquidator humbly prays this Hon'ble High Court, Madras to permit the



Official Liquidator to take possession of assets of the company in liquidation and to pass suitable further orders.”

3. Since the stay that was earlier ordered has been vacated by the Hon'ble Division Bench of this Court in its Order dated 20.03.2023 in CMP.No.10363 of 2016 in OSA.No.19 of 2016, I see no impediment in allowing this Company Application. Accordingly, this Company Application stands allowed.

01.12.2023

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