



WEB COPY

Comp.A.No.15 of



Comp.A. No.15 of 2023

in

C.P. No.178 of 2015

K. KUMARESH BABU, J.

The present application has been filed seeking for the following relief:

a) To take this report on record.

b) To direct the respondent/debtor to pay a sum of Rs.1,68,48,595.89 towards dues as mentioned in paragraph 5 along with subsequent interest at 18 % p.a. From 01.01.2023 to the date of full and final payment.

c) To permit the Official Liquidator to incur the cost of this application from and out of the funds of the company in Provisional Liquidation.

2. Heard Ms.B.Ambili, learned Deputy Official Liquidator.

3. The Respondent had been served through substituted service as directed by this Court and recording substituted service the application was directed to be listed before the Master on 29.04.2024. When the evidence was recorded by the learned Master, there has been no representation by the respondent. The learned Master has also recorded on 13.08.2024 even when the evidence is recorded there is no representation on the side of the respondent.

Hence, the matter was posted before this Court.



4. Even today when the matter was taken up for hearing, there is no representation on the side of the respondent.

WEB COPY

5. I have perused the materials available on record and also the deposition and the Exhibits marked through PW1. Exhibit-A1, is a photocopy of the statement of the affairs dated 14.12.2019. Exhibit P2 is the office copy of the demand notice dated 20.01.2021 issued to the respondent, Exhibit A3 is the photocopy of the report dated 18.11.2022 and Exhibit A4 is the copy of the paper publication effected in one issue of Tamil Daily “Malai Malar” dated 09.07.2023. From Exhibits A1 and P2, I am inclined to hold that the Respondent is liable to pay the dues along with interest

6. In such view of the matter, the application is ordered. The respondent is directed to make the payment for a sum of Rs.1,68,48,595.89/- together with interest at 18% per annum within a period of eight (8) weeks from the date of receipt of a copy of this order.

23.08.2024

mka



WEB COPY



Comp.A.No.15 of

K. KUMARESH BABU, J.

mka

Comp.A. No.15 of 2023

in

C.P. No.178 of 2015

23.08.2024