



WEB COPY



I.P. No. 13 of 202 .

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

I.P. No. 13 of 2024

Velmurugan

...Petitioner

PRAYER: Petition filed under Sections 9(1)(f), 10, 11, 14 and 15 of the Presidency Town Insolvency Act, 1909 read with Order III Rule 8 of Insolvency Rules, 1958 to

- a) adjudicate the Petitioner as Insolvent;
- b) direct that the estate of the Petitioner be administered by the Official Assignee of Madras in a regular manner; and
- c) pass such other or further orders as this Court deem fit and proper.

For Petitioner : M/s.B.Leelesh Sundaram

ORDER

By order dated 06.06.2024 the petitioner herein had been adjudicated as insolvent and he was directed to prepare and submit a schedule in relation to his affairs. After the said order, when the Insolvency Petition was listed before the learned Master on 04.07.2024, there was no representation on the side of the petitioner and schedule of affairs has also not filed. Hence, the Insolvency



Petition was directed to be listed before the Court. On 19.07.2024, 12.08.2024, 19.08.2024 and 02.09.2024, the matter was listed before this Court, there has been no representation on the side of the petitioner and today also, there is no representation on the side of the petitioner.

2. The petitioner had also not filed his schedule of affairs as directed by the learned Master.

3. A report had also been filed by the learned Official Assignee that the insolvent had failed to submit his schedule of affairs.

4. This Court is of the view that the petitioner had only approached this Court to defraud his Creditors under the protection of the orders of this Court. In such view of the matter, I find that there is no necessity for adjudicating the petitioner as insolvent and the order dated 06.06.2024 passed by the learned Master is annuled.

5. The petitioner for abusing the process of this Court, this Court is also inclined to award a cost of Rs.1,00,000/- payable by the petitioner to the Chief Justice Relief Fund, within a period of eight(8) weeks from the date of this



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order. If the said cost is not paid, the Registry shall address the District Collector, Chennai to initiate appropriate Revenue recovery proceedings against the petitioner Mr.Velmurugan, Son of Thiruvengadam, residing at No.68/167, Kamarajar Road, Kodungaiyur, Chennai-600118 for recovery of the said amount.

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Index: Yes/No

Maya



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K.KUMARESH BABU, J

Maya

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