



I.P.No.48 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2024

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

I.P.No.48 of 2023

S.AbdulAjees

... Petitioning Debtor

Insolvency Petition filed under Section 9(1)(f), 10, 11, 14 and 15 of the Presidency Towns Insolvency Act, 1909, and Order III Rule 1 of the Insolvency Rules, 1958 to

- (a) adjudicate the petitioner as an insolvent; and
- (b) direct that his estate may be administered by the Official Assignee, High Court in a regular manner;

For Petitioner : No appearance

Mr.V.Devanathan, Official Assignee

ORDER

This Insolvency Petition has been filed to adjudicate the petitioner as an insolvent.



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2. Today, there is no representation on behalf of the petitioner.

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3. The learned Official Assignee would submit that in the present case, the adjudication order was passed by the learned Master vide order dated 30.11.2023. However, till date no schedule of affairs has been filed by the petitioner.

4. Further, he would submit that since the petitioner has failed to file the Schedule of Affairs, even after the passing of adjudication order, the present debtor petitioner is liable to be dismissed under Section 15(3) of the Presidency Towns Insolvency Act, 1909 (hereinafter called as “the Act”). Hence, he requests this Court to dismiss the present petition as per the provisions of Section 15(3) of the Act.

5. Heard the learned Official Assignee and perused the materials available on record.



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6. In the present case, the adjudication order was passed by the learned Master on 30.11.2023, however, till date, the petitioner had neither filed any Statement of Affairs nor appeared before this Court. When such being the case, this Debtor petition is liable to be dismissed in terms of Section 15(3) of the Act.

7. Accordingly, this petition is dismissed. No costs.

05.04.2024

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation: Yes / No
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KRISHNAN RAMASAMY.J.,

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