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W.P.No.44498 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.44498 of 2025

and

W.M.P. No.49638 & 49643 of 2025

1. Adv(ca)v.Venkata Sivakumar

No.10/11 Dr.Subbarayan Nagar Main Road,
Kodambakkam, Chennai-600 024.

Petitioner(s)

Vs

1. The Registrar Of The National

Company Law Appellate Tribunal-Chennai Bench,
Corporate Bhawan, II Floor, Beach Road, Mannady,
George Town, Chennai-600 001

2.UCO Bank Ltd

Rep By Its Mr.Sanjeev Das -AGM,
No.328, 2nd Floor, Thambu Chetty Street,
Chennai-600 001

3.Canara Bank

Rep. By Sathya Hari - Chief Manager,
ARM Branch Circle Office, 1st Floor,



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St.Marys Campus, East Veli Street,
Madurai-625 001.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 26.09.2025 passed by the Hon'ble National Company Law appellate Tribunal , Chennai Bench (the 1st respondent)in company Appeal (AT)(CH)(Ins)No.481 of 2025 in I.A.No.1364 of 2025 and quash the said order as being arbitrary, without authority of law in excess of jurisdiction conferred under the Insolvency and Bankruptcy code 2016 violative of Section 61(2) of the said code and opposed to the principles of natural justice having been vitiated by misrepresentation and malafide intent and consequently declare the same null and void.

For Petitioner(s) : ADV(CA)V.Venkata Sivakumar
(Party in Person)

For Respondent(s) : Mrs.Indumathi Ravi
Senior Panel Counsel for R1

ORDER

(Order of the Court was made by Mohammed Shaffiq J)

This writ petition is filed challenging the order passed by the Hon'ble National Company Law Appellate Tribunal, Chennai in Company Appeal (AT)(CH)(Ins)No.481 of 2025 in I.A.No.1364 of 2025, dated 26.9.2025.

2. On perusal of the impugned order, it is evident that no substantive issue



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has been adjudicated. The Tribunal has merely recorded the submissions of learned

counsel, noting that the Liquidator has already received the remuneration to which

he is entitled. It also finds that remuneration now claimed exceeds the limits

prescribed under the applicable regulations governing remuneration to Liquidators.

Furthermore, the order directs issuance of notice to the respondent herein and

grants an interim stay pending further consideration.

3. Learned counsel for the petitioner submits that notice has already been served upon the respondents. At this stage, when it was pointed out by this Court that the Writ Petition is premature and is not inclined to entertain since statutory remedy is availed of by the petitioner before the Appellate Tribunal, counsel for the petitioner contended that, owing to the heavy pendency and backlog of matters before the Appellate Tribunal, there is likely to be delay in disposal.

4. This Court is of the view that it is always open to the petitioner to move an appropriate application before the Tribunal seeking expeditious hearing of the



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matter. This Court does not intend to express any opinion on the merits of the case.

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5.Accordingly, the writ petition stands disposed of. No costs. Consequently,
connected miscellaneous petitions are closed.

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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S.M.SUBRAMANIAM J.
and
MOHAMMED SHAFFIQ J.

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To

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