



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

COMP.A No. 295 of 2025

AND

CP NO. 300 OF 2014

1. M/s.JM Financial Products
Limited
Presently having its registered
office at 1st Floor A and B, 2nd
floor, Suashish IT Park, Plot
No.68E, Off Dattapada Road,
Opp. Tata Steel, Borivali (E),
Mumbai - 400 066.

Applicant(s)

Vs

1. Zylog Systems Limited
(in Liquidation)
Represented by Administrator
Mr.Justice S.Rajeswaran (retd.),
Having its registered office at 155,
Thiruvalluvar Salai, Kumaran
Nagar, Sholinganllur, Chennai,
Tamil Nadu - 600 119.

2.The Official Liquidator
High Court, Madras, As
Liquidator Of Zylog Systems
Limited (in Liquidation), UTI
Building, II Floor, Rajaji Salai,
Chennai - 600 001, Beach Road,
Mannadi, George Town, Chennai,



Tami Nadu - 600 001.

COMP.A No. 295 of 2025



Respondent(s)

PRAYER

Company Application filed under Order XIV Rule 10 xxxviii of OS Rules praying to direct the Registry, Original Side to return the originals of the all the documents filed in support of the Company Petition (C.P.No.300/2014) which is morefully described in the schedule to the judges summons.

For Applicant(s): M/s.U. Saraswathi
For Respondent: Mr.Pola Raghunath
Official Liquidator

ORDER

This application has been filed for a direction to the Registry to return back all the original documents mentioned in the schedule to the Judges summons, to the applicant.

2. The applicant filed the Company Petition to wind up the respondent company for its failure to pay the admitted liability. At the time of filing the company petition, the applicant had filed the original documents.



3. The secured creditors had also filed Company petition against the respondent and an official liquidator came to be appointed in the year 2014 to take charge of the assets and accounts of the respondent company. Thereafter, a retired Judge of this Court was appointed as an Administrator.

4. The company petition is still pending.

5. The respondent company, in discharge of their liability had issued post-dated cheques in favour of the applicant to the total tune of Rs.1,40,00,000/-. All these cheques were dishonoured and hence, it resulted in a criminal complaint filed against the 1st respondent company and its directors for offence under Section 138 of the Negotiable Instruments Act. The complaint is pending before the Additional Metropolitan Magistrate, XLIII Court at Borvali, Mumbai.

6. The applicant wants to mark the original documents in the pending criminal complaint and hence, filed this application for a direction to the Registry to return back all the originals. This



application is pending for more than six months and the concerned Court where the criminal complaint is pending, as a last chance had adjourned the case today with a direction to the applicant to mark the original documents during trial.

7. The learned counsel for the applicant made a mention before this Court regarding the urgency since in the absence of proceeding further with the trial, the criminal complaint itself will stand dismissed and the applicant will be put to irreparable loss and hardship.

8. Considering the urgency expressed by the learned counsel for the applicant, this Court directed the Official Liquidator to submit a report and accordingly, a report has been filed before this Court. The Official Liquidator has explained about the background facts of this case and the filing of the original documents by the applicant at the time of moving the company petition. The official liquidator relying upon the status of the case as shown in the web portal of this Court, has stated that the company petition itself was disposed of on 09.02.2017. To substantiate the same, the copy of the case status was also filed along with the report.



9. In the considered view of this Court, if the main Company Petition itself has been disposed of and no useful purpose will be served in retaining the original documents and the applicant is in need of those original documents in order to mark those documents in the pending criminal complaint before the Mumbai Court, this Court is inclined to allow this application as prayed for.

10. The learned counsel for the applicant submitted that to the knowledge of the counsel, the company petition has not been disposed of till date. It is not necessary to get into this controversy in order to decide the present application.

11. In view of the above, this application is allowed and there shall be a direction to the Registry to return back all the original documents to the learned counsel for the applicant after receiving necessary acknowledgement.

09-01-2026

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Note : Issue order copy on 09.01.2025.

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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N.ANAND VENKATESH J.
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