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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

APPLN Nos. 345, 346, 348, 350 & 351 of 2024

in

IP No. 25 of 2014

Anita Reddy

..Applicant in A.Nos.345, 346 & 348 of 2024

V.Dinesh Reddy

..Applicant in A.Nos.350 & 351 of 2024

Vs

1. The Official Assignee
High Court, Madras.

2. Chitra Desai

..Respondent(s) in all
Applications

Prayer in A.No.345 of 2024: This application filed to modify the order dated 24.04.2024 passed in Application Nos.99, 100 and 101 of 2024 and consequently direct the Official Assignee to disburse First Dividend at the rate of 70 paise in a rupee to the Applicant amounting to Rs.3,57,00,000/- in respect of the admitted Claim No.203/2014.

Prayer in A.No.346 of 2024: This application filed to modify the order dated 24.04.2024 passed in Application Nos.99, 100 and 101 of 2024 and consequently direct the Official Assignee to disburse First Dividend at the rate of 70 paise in a rupee to the Applicant amounting to Rs.17,50,000/- in respect of the admitted Claim No.205/2014.



Prayer in A.No.348 of 2024: This application filed to modify the order dated 24.04.2024 passed in Application Nos.99, 100 and 101 of 2024 and consequently direct the Official Assignee to disburse First Dividend at the rate of 70 paise in a rupee to the Applicant amounting to Rs.16,45,00,000/- in respect of the admitted Claim Nos.204/2014 & 123/2018.

Prayer in A.No.350 of 2024: This application filed to modify the order dated 24.04.2024 passed in Application Nos.99, 100 and 101 of 2024 and consequently direct the Official Assignee to disburse First Dividend at the rate of 70 paise in a rupee to the Applicant amounting to Rs.11,20,00,000/- in respect of the admitted Claim No.76/2016.

Prayer in A.No.351 of 2024: This application filed to modify the order dated 24.04.2024 passed in Application Nos.99, 100 and 101 of 2024 and consequently direct the Official Assignee to disburse First Dividend at the rate of 70 paise in a rupee to the Applicant amounting to Rs.3,67,50,000/- in respect of the admitted Claim No.75/2016.

For Applicant(s): Ms.Vaigai, Senior Counsel
in A.Nos.345, 346 & 348 of 2024

Ms.Chitra Sampath, Senior Counsel
in A.Nos.350 & 351 of 2024

For Respondent(s): Mr.K.V.Anantha Krushnan
Assisted by Ms.A.Janani

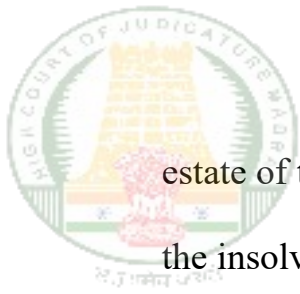


COMMON ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

These applications have been filed primarily seeking a direction against the Official Assignee to abide by his own order admitting the claim filed by the applicants herein.

2. In the report of the Official Assignee, it had been stated that the orders had been obtained in a Company Petition without impleading the Official Assignee as a party and without making it a requirement for notice to be issued to the Official Assignee. In this connection, the learned counsel for the Official Assignee had placed reliance under Rule 26 of the Presidency-towns Insolvency Rules. However, Rule 26 requires an application be filed, if any order of the Official Assignee is to be expunged or modified. Having admitted the claim and having not filed any such application, it may not be proper, on the part of the Official Assignee, to now canvas that the order admitting the claim should be revisited and re-examined by this Court. We understand the grievance raised by the Official Assignee that the amount now admitted had earlier been kept aside by an order of Division Bench and that some adjudication is required on the bonafide of the claim of the applicant. But however, the amount was directed to be kept aside, since there was a requirement to reconcile the statement of amounts to be paid to the estate of the insolvent and amounts payable by the



estate of the insolvent to the applicants. There has been no claim by the estate of the insolvent against the applicants herein.

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3.The learned Senior Counsels for the applicants had pointed out that for the amount claimed by the applicant, a larger amount had been withheld by the Official Assignee and there is absolutely no justification for the same.

4.We have also perused the records, which indicate that the Official Assignee had applied the mind and had admitted the claim. It may not be appropriate for this Court to revisit the same in the absence of any application filed by the Official Assignee, in the form of an affidavit and judges summons, questioning the correctness of the admission of the claim. A report had however been filed, but again questioning the order passed in the Company Petition by a Court of competent jurisdiction which is not proper.

5. We would, therefore, allow these applications as prayed for. No order as to costs. The applicants should produce necessary document as are required by the Official Assignee to prove that no further claims would be raised on the same claims by any of the other legal heirs or by the company which had obtained orders before the Company Court bifurcating the claim in the name of the applicants herein.



6. In A.No.346 of 2024, the learned counsel for the applicant on record may file a memo before the Official Assignee, correcting the amount mentioned as a claim which amount is actually Rs.17,50,000/- and which had been wrongly given as Rs.17,50,00,000/-. It is made clear that the amount payable is Rs.17,50,000/-.

(C.V.K.,J.) (K.B.,J.)
19-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

SMV

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