

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT-I)
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL, HELD ON **15.07.2021 at 10.30 A.M**
THROUGH VIDEO CONFERENCING

**PRESENT: SMT. R.SUCHARITHA, MEMBER (JUDICIAL)
SHRI. ANIL KUMAR B, MEMBER (TECHNICAL)**

IA/MA/IBA/TCP/TCA/CP/CA No : MA/2/2021 IN MA/1/2021 IN CP/577/2018

NAME OF PETITIONER : K B Barath Singh

NAME OF RESPONDENT : Muthuiah Thevar Rajapandian (Liquidator)
M/s Aeon Paper Mills Pvt Ltd

SECTION : Rule 11 Of NCLT Rules 2016

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT-I)
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL, HELD ON **15.07.2021 at 10.30 A.M**
THROUGH VIDEO CONFERENCING

**PRESENT: SMT. R.SUCHARITHA, MEMBER (JUDICIAL)
SHRI. ANIL KUMAR B, MEMBER (TECHNICAL)**

IA/MA/IBA/TCP/TCA/CP/CA No : MA/1/2021 IN CP/577/2018

NAME OF PETITIONER : K B Barath Singh

NAME OF RESPONDENT : Muthuiah Thevar Rajapandian (Liquidator)
M/s Aeon Paper Mills Pvt Ltd

SECTION : 60(5) & Sec 36(4) Of IBC 2016
R/w Rule 11 Of NCLT Rules 2016

COMMON ORDER

The Petitioner is represented by Ld. Counsel Mr. R. Subramaniam Raja and the Respondent is represented by Ld. Counsel Mr. Jesus Morris Ravi along with Ld. Liquidator Mr. Muthiah Thevar Rajapandian through video conferencing mode.

This Application has been filed by one Mr. K.B. Barath Singh, who is the erstwhile promoter of the Company under liquidation. This Application is being filed with prayer "to set aside the Notice for e-auction dated 22.01.2021 issued by the Ld. Liquidator herein to release the Schedule-'A' and Schedule-'B' properties of the Applicant".

While posing a query by the Adjudicating Authority as to whether the property is in the name of the erstwhile promoter or in the name of the Company which is under liquidation, the Applicant is not inclined to fully satisfy the Adjudicating Authority on the properties with clear proof of revenue records such as Patta, Chitta & Adangal and Title Deeds etc., related to the said properties held in the name of the Applicant.

Admittedly, the possession of the properties is under the custody of the Liquidator. Hence, the Liquidator is permitted to take action as per rules and regulations of the same.

This Adjudicating Authority is not empowered to appoint Advocate Commissioner to survey/inspect the Scheduled mentioned properties as sought for.

Taking into consideration the fact that there is no proof of revenue documents available at the Registry, this Adjudicating Authority has given a last and final opportunity to the Applicant to satisfy that he is the owner of the property with clear demarcation along with supporting revenue documents.

List this matter on **03.09.2021** for further hearing.

-sd-

(ANIL KUMAR B)
MEMBER (TECHNICAL)

-sd-

(R. SUCHARITHA)
MEMBER (JUDICIAL)