IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

COMP.A No. 154 of 2026
IN
CP NO. 230 of 2004

The Official Liquidator,
High Court, Madras as the Provisional Liquidator
of M/s.RBF Nidhi Limited,
(In Provisional Liquidation)

..Petitioner

Vs

V.Balasubramanian

..Respondent

Judge’s Summon filed under Section 460(4) of the Companies Act, 1956 read with Rules 9, 11(b) of the Companies (Court) Rules, 1959, prays as follows:

(a) Take this report on record.

(b) direct the respondent/debtor to pay principal amount of Rs.91,11,695/- as per the report of Chartered Accountant plus interest from 01.01.2000 as fixed by this Hon’ble Court.

(c) Fix the rate of interest to be collected from the respondent.

(d) Direct the respondent to settle the full and final payment principal with interest within 30 days of receipt of the Order, failing which Official Liquidator may be permitted to bring the mortgaged properties for sale through e-auction and also to value the property through ITCOT limited or any other approved valuer as approved by the Court.

(e) Permit Official Liquidator to make payment of Rs.30,000 plus GST towards professional fee to Shri.Mugundhan, Chartered Accountant.

For Petitioner(s):	Ms.B.Ambili Deputy Official Liquidator of High Court, Madras
For Respondent(s):	Mr.S.Ravi Senior Counsel Assisted by Ms.S.Indumathi Ravi

ORDER

This application has been filed for the following reliefs:

(a) Take this report on record.

(b) direct the respondent/debtor to pay principal amount of Rs.91,11,695/- as per the report of Chartered Accountant plus interest from 01.01.2000 as fixed by this Hon'ble Court.

(c) Fix the rate of interest to be collected from the respondent.

(d) Direct the respondent to settle the full and final payment principal with interest within 30 days of receipt of the Order, failing which Official Liquidator may be permitted to bring the mortgaged properties for sale through e-auction and also to value the property through ITCOT limited or any other approved valuer as approved by the Court.

(e) Permit Official Liquidator to make payment of Rs.30,000 plus GST towards professional fee to Shri.Mugundhan, Chartered Accountant.

2. Heard both sides.

3. When the matter was taken up for hearing, the learned counsel appearing for the applicant would submit that considering the age of the respondent, the respondent to give a quietus to the issue, had agreed to pay the principal amount together with interest at the rate fixed by this Court, as claimed by the applicant, within a period of thirty days. The Official Liquidator would request this Court to grant interest appropriately, taking into consideration Annexure- 'L' filed along with the report.

4. A perusal of the report filed by the applicant would indicate that the respondent had disputed the receipt of a sum of Rs.41,00,000/- (Rupees Forty One Lakhs only) which, according to the books of accounts, indicates the disbursement of the said sum of Rs.41,00,000/- Rupees Forty One Lakhs only). It is the claim of the respondent that the amount had not been disbursed, as the cheque had not been encashed. The report further indicated that there is no confirmation available from the Bank, in view of the statutory destruction of records. In that regard, the actual receipt of Rs.41,00,000/- which had been disputed by the respondent, is not substantiated. However, in view of the fact that the report had further acknowledged the servicing of the loan at the instance

of the borrower regularly till the issue of liquidation arose in the company, this Court is of the view that interest at the rate of 6% per annum on and from 01.01.2000 would be just and fair in the circumstances of the case.

5. Accordingly, the application stands allowed. The respondent is directed to pay the sum of Rs.91,11,695/- together with 6% Simple Interest on and from 01.01.2000 within a period of thirty days from the date of receipt of a copy of this order. The Official Liquidator is also permitted to make a payment of Rs.30,000/- plus GST towards professional fee to Shri.Mugundhan, Chartered Accountant. No costs.

17-07-2026

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

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K.KUMARESH BABU, J.

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