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K.VITTAL Vs The Official Assignee

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SooperKanoon Citation : sooperkanoon.com/1433531

Court : Chennai

Decided On : Mar-30-2026

Judge : Honourable Mr Justice Senthilkumar Ramamoorthy

Appeal No. : APPLN/39/2026

Appellant : K.Vittal

Respondent : The Official Assignee

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY IN K.Vittal S/o.Kumar, No.D-8, Cee Dee Yes Regal Palm, Garden Velachery, Chennai-600 042. Presently residing at Door.No.5/758, Sabri Salai, Madipakkam, Chennai-600 091. ..Applicant(s) Vs ..Respondent(s)

PRAYER IN A.No.39 of 2016: Judges summons filed under Order II Rule 1of Insolvency Rules read with Section 7 of the Presidency Towns Insolvency Act III of 1909, praying to direct the respondent to return the

Applicants Passport No.Z4299639 issued by the Regional Passport Officer, Madras which was surrendered to the respondent and thereby enabling the applicant to attend the interview in Abroad pending on the file of this Honble Court may be granted to the Petitioner.

For Applicant(s): Mr.N.Naganathan For Respondent(s): Mr.C.R.Gauthaman, Official Assignee Page1 of 4

ORDER

The applicant and one K.Savitha were adjudged as insolvents in I.P.No.28 of 2025. Pursuant thereto, the applicant had handed over passport No.Z4299639 in August 2025 to the Official Assignee. He has applied for return of the passport to enable him to attend an interview in Sri Lanka.

2. At the previous hearing, the applicant was directed to file an affidavit

undertaking to return the passport to the Official Assignee upon his return to India. Affidavit affirmed on 27.03.2026 has been filed. Paragraph 5 thereof is set out below:

5. I submit that, now the Insolvency Petition is pending before this Honble Court and it is very much required for further adjudication, but in the same time it is necessary for me to travel abroad for my future requirements and in the interest of justice, I undertake that, immediately after receipt of the passport from the respondent, I will book my Air ticket and Visa for my boarding. It is further submitted that, I am leaving from Chennai, India to Colombo, Sri Lanka country on 05.04.2026 and shall stay in the said country from 05.04.2026 to 10.04.2026 at Eurolanka Hotel, Colombo, Sri Lanka for the limited period and I will return back to Chennai, Tamil Nadu, India on 10.04.2026 and I undertake to surrender my original passport to Official Assignee, High Court, Madras on 15.04.2026. Further, I submit that, I am enclosing herewith the email communication for interview dated 03.03.2026 sent by the Galaxy Marketing

Page2 of 4 Company, Colombo, Sri Lanka. If I get an employment after completing the interviews conducted by the said company and the result of the same will be communicated to the Respondent for further adjudication and I will abide by condition, if any imposed by this Honble Court.

3. The Official Assignee has no objection to this application being allowed.

4. Considering the reasons set out in the affidavit in support of this

application, namely, that the applicant intends to apply for a vacancy in the Galaxy Marketing Company in Colombo, Sri Lanka and that it is necessary to attend the interview in relation thereto in April, 2026, this application is allowed on the following conditions:

(i) The applicant shall surrender original passport No. No.Z4299639 to the Official Assignee on his return from Sri Lanka on or before 15.04.2026.

(ii) The applicant shall not take up employment in Sri Lanka or in any other country without prior leave of this Court. Neutral Citation: Yes/No KAL Note: Issue order copy today, i.e.30.03.2026 Page3 of 4

SENTHILKUMAR RAMAMOORTHY, J.

KAL To IN Page4 of 4

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