

Mahadeva Vs. Kuppusami

Mahadeva Vs. Kuppusami

SooperKanoon Citation : sooperkanoon.com/796479

Court : Chennai

Decided On : Jan-11-1892

Reported in : (1892)ILR15Mad233

Judge : Parker and ;Subramanya Ayyar, JJ.

Appellant : Mahadeva

Respondent : Kuppusami

Judgement :

1. We are of opinion that the receiver is entitled to remuneration at the rate fixed by the late Subordinate Judge, but for the amount of that fee, he is only entitled to a lien to the extent of 5 per cent, upon the sum remaining as net assets after the charges specified in Clauses (b), (c) and (d) of Section 356 have been paid. The question whether the opposing creditor's claim is a debt secured by mortgage is not before us. See ex parte Browne in re Maltby L.R. 16 Ch. D. 497