

(32)

NATIONAL COMPANY LAW TRIBUNAL  
SINGLE BENCH  
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 10.30 AM ON 07.09.2018

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER - JUDICIAL

APPLICATION NUMBER : MA/8/IB/2018  
PETITION NUMBER : CP/39/ (IB)/2018  
NAME OF THE PETITIONER(S) : VASUDEVAN (IRP)  
NAME OF THE RESPONDENT(S) : TIFFINS BARYTES ASBESTOS & PAINTS LTD  
UNDER SECTION : 7 RULE 4

S.No. NAME (IN CAPITAL) DESIGNATION SIGNATURE

REPRESENTATION BY WHOM

1.	GAUTHAM VENIKATESH	Counsel for R3-R5	V. Gautham
2.	VASUDEVAN	RP	Atkinson
3.	K. Moorthy	Counsel for RP.	Ky

**ORDER**

Counsels for both the parties present. It has been submitted by the Counsel for the RP that one of the directors has filed an affidavit with regard to missing of the original title deeds and the fact that the properties involved therein have not been encumbered. However, the rest of the two directors have not given affidavits to that effect. Counsel for the R3 to R5 has submitted that the director who has filed the affidavit has been given authority on behalf of the other two directors but there is no supporting documents to establish the same.

Therefore, the Counsel for the R3 to R5 is directed either to provide the resolution by <sup>which</sup> the authority is given to the directors to file the reply or to file an adoption memo on behalf of the directors 4 and 5. It has also been submitted by the Counsel for the RP that the encumbrance certificate is not made available for one property but the Counsel for the suspended directors has suggested that a letter has to be sent by the RP to the concerned authorities for obtaining Encumbrance Certificate, as required.

Therefore, the RP is directed to send an appropriate request to the concerned authorities for issuing the Encumbrance Certificate under intimation to the Counsel for R3 to R5. Put up on **26.09.2018 at 10.30 A.M.**

*sa*  
**(CH. MOHD. SHERIFF TARIQ)**  
MEMBER (JUDICIAL)