

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT 1)
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL HELD ON 22.12.2020
at 02.30 P.M. THROUGH VIDEO CONFERENCING.**

**PRESENT : SHRI R. VARADHARAJAN MEMBER – JUDICIAL
SHRI ANIL KUMAR B. MEMBER - TECHNICAL**

APPLICATION NUMBER : MA/1034/2020
PETITION NUMBER : CA/558/2020
NAME OF THE PETITIONER(S) : Sivagnanagovindasamy Nambi M/s. of
Manasanthi Mental Health Care Pvt Ltd
NAME OF THE RESPONDENT(S) : Roc,Chennai
UNDER SECTION : Rule 11 of NCLT Rules 2016

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ORDER

Learned A.R. for the Petitioner Mr. Gaurav Kumar as well as Assistant Registrar for RoC are present through video conferencing platform.

Learned A.R. for the Petitioner represents that RoC report has been filed. Perusal of the report of the RoC shows that the Applicant / Petitioner as a shareholder is sought to be questioned, which is mentioned in paragraph '13' of the report filed by the RoC and it reads as follows:-

*"It is submitted that the present Petition is filed by **Mr. Sivagnanagovindasamy Naidu** in the capacity as a Shareholder. However, as per the records available at MCA portal it is found that there is no proof of Petitioner's shareholding in the subject Company."*

The Petitioner is directed to file a rejoinder in relation to the report of the RoC along with the adequate proof establishing that the Petitioner before this Tribunal, who has filed this Petition is a shareholder of the Company as required under the Companies Act, 2013.

Let the same be done within a period of 10 days from today. Post this Appeal for enquiry on 12.01.2021.

In the meantime, since the notice to the Income Tax Authorities has also been issued only yesterday i.e., on 21.12.2020 as disclosed from the Affidavit / Memo filed before this Tribunal by Learned A.R. for the Petitioner, the Income Tax



Authority is also given an opportunity to respond to this Appeal / Application within 10 days by filing the report. In case if the report is not coming forth, this Tribunal will be constrained to proceed with the matter in the absence of the report of the Income Tax.

Post this matter on **12.01.2021**.

-SD-

(ANIL KUMAR B)
MEMBER (TECHNICAL)

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-SD-

(R.VARADHARAJAN)
MEMBER (JUDICIAL)