

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH**

**T.P.No.48/2016 IN  
Co.P.No.49/13**

**Under Section 242(4) of Companies Act, 2013**

**IN THE MATTER OF  
BLUE MERCURY APPARELS PRIVATE LIMITED  
AND  
ARUN KUMAR & ANR.**

*On Memo*  
**Order delivered on: 11.01.2018**

Coram: Hon'ble Shri Ratakonda Murali, Member (Judicial)  
Hon'ble Shri Ashok Kumar Mishra, Member (Technical)

Between

1. Blue Mercury Apparels Private Limited  
No. 82, 1<sup>st</sup> Floor, IDBI Building  
Dr. Rajkumar Road,  
Rajajinagar, II Block,  
Banglore- 560010
2. Sri. Marappagounder Shanmugam,  
No.71, Muthusamy Main Street,  
Tirupur-641602
3. Mr. Natarajan Thirukkumaran  
No.64/1, Cotton Mills First Street,  
Tirupur- 641602

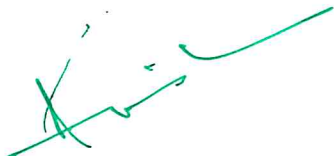
...Applicants

And

1. Sri. Arun Kumar  
Purva Venezia Apartments,  
F-301, Yelhanka New Town,  
Near Mother Dairy  
Banglore-560064
2. Smt.Radhika Machetti  
Purva Venezia Apartments,  
F-301, Yelhanka New Town,  
Near Mother Dairy  
Banglore-560064

...Respondents

For the Petitioner (s) : C.K. Nandakumar, Advocate for Respondents



## ORDER ON MEMO

The petition was listed before the Bench for filing written submissions. When the matter was taken up, the counsel for respondent has filed a memo seeking clarification by this Tribunal while enclosing the copy of the order passed by the Regional Director as well as order passed by the Tribunal in IA No. 7/16. Perused the order passed by the Regional Director order passed on application U/s 13(4) of the Companies Act 2013.

This Tribunal has passed order on IA 7/16 to call for the Extra Ordinary General Meeting for passing resolution for shifting the Registered Office of the Company from the state of Karnataka to the State of Tamil Nadu. Accordingly, a resolution is passed in Extra Ordinary General Meeting by the company to that extent. The company has moved the Regional Director U/s 13(4) of the Companies Act, 2013 seeking permission for shifting the registered office of the Company from the State of Karnataka to the state of the Tamil Nadu. This Tribunal never imposed any condition for approval of any request made by the company shifting the Registered Office of the Company from the state of Karnataka to the State of Tamil Nadu.

The Tribunal hereby clarifies that, there is no need for this Tribunal to pass any order of confirmation, for the order passed by RD for shifting the Registered Office of the Company from the state of Karnataka to the State of Tamil Nadu. Since power is given to the Regional Director who is representing Central Government under section 13(4) of the Companies Act, 2013 for grant of permission of shifting.

Memo is accordingly disposed of.

  
(ASHOK KUMAR MISHRA)  
MEMBER, TECHNICAL

  
(RATAKONDA MURALI)  
MEMBER, JUDICIAL