

NATIONAL COMPANY LAW TRIBUNAL
SINGLE BENCH
CHENNAI

(6)

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 13/02/2018 AT 10.30 AM

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

APPLICATION NUMBER :
PETITION NUMBER : TCP/20/2016
NAME OF THE PETITIONER(S) : G. Sadayaramanujam & 2 others
NAME OF THE RESPONDENT(S) : GGN Spinning Mills Private Limited and 4 others
UNDER SECTION : 397/398

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
		REPRESENTATION BY WHOM	

1. NIKITHA JS
FOR KING +
PARTIDCE

- 6th RESPONDER



2. SUSHMA HARINI A
for M/s. V. Ramachandran
Advocates

Counsel for Petitioner



3. G. Sadayaramanujam

1st Petitioner 

4. S. Andal

2nd Petitioner S. Andal

ORDER

Counsel for Petitioner present. Counsel for R6 present. As seen from the Order dated 11.01.2018, the Counsel for the Respondent No.6 was directed to send communication to the Counsel for R1 to R5, informing next date of hearing. The Counsel for R6 has sent the communication to the Counsel representing R1 to R5. But in spite of information sent by the Counsel, there is no representation on behalf of R1 to R5. It is on record that the counter filed on behalf of R6 has been signed by R4, who is authorised signatory for R6. But, he is not causing appearance in this case. It appears that the Respondents are well aware about the pendency of the matter, neither they nor their Counsel is causing appearance in the matter which is deliberate. Therefore, R1 to R5 are proceeded set ex-parte.

It has been submitted by the Counsel for the Petitioner that R1 and R6 have not filed an Annual Returns and Balance Sheets with effect from 2005 onwards. This shows that the affairs of R1 and R6 are being conducted in a manner prejudice to the interest of the shareholders and the entities. Therefore, there requires an appointment of an Auditor and a Company Secretary to audit the accounts and file a report with regard to the non-compliances of the provisions of the Companies Act, 1956 & 2013, to this Bench. The parties are given liberty to suggest the name of the Auditor and the Company Secretary for the said purpose by the next date of hearing. Put up on **27.02.2018 at 10.30 AM.**


(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)