

**NATIONAL COMPANY LAW TRIBUNAL
DIVISIONAL BENCH
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 13/04/2017 AT 10.30 AM**

**PRESENT: SHRI K. ANANTHA PADMANABHA SWAMY, MEMBER-JUDICIAL
SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL**

APPLICATION NUMBER :

PETITION NUMBER : TP (HC) /CAA/18, 19, 20, 21/2017

**NAME OF THE TRANSFEROR : SRI SATHU AGRO FARMS PVT LTD
ARUPPUKOTTAI BRICKS WORKS & BUILDING
CONSTRUCTIONS PVT LTD,
SRI VAIGAI TRANSPORTS PVT LTD**

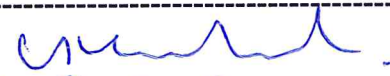
NAME OF THE TRANSFERRE : SHRI GOVINDARAJA TEXTILES PVT LTD

UNDER SECTION : 230

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

V Mahesh

For V Mahesh & Associates.


For T₁, T₂, T₃ &
Transferee

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**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
DIVISION BENCH, CHENNAI.**

Arguments heard on 13.04.2017

Order passed on 13.04.2017

TP(HC)/CAA 18, 19, 20 & 21/CAA/2017
(Under Sections 230 of the Companies Act, 2013)

In the matter of Scheme of Arrangement of Merger
of

M/s.Sri Sathu Agro Farms Pvt Ltd (Transferor-1)
M/s.Aruppukottai Brick Works & Building Constructions Pvt. Ltd.
(Transferor-2)
M/s. Sri Vaigai Transports Pvt Ltd (Transferor-3)

With
M/s.Shri Govindaraja Textiles Private Ltd. (Transferee company)

And
Their respective Shareholders and creditors.
Four companies Represented by : PCS Shri V.Mahesh

CORUM

ANANTHA PADMANABHA SWAMY & CH MOHD SHARIEF TARIQ,
MEMBERS (JUDICIAL)

ORDER

CH MOHD SHARIEF TARIQ, MEMBER (JUDICIAL) :- (ORAL)

1. Under consideration are four petitions which are pertaining to M/s Sri Sathu Agro Farms Pvt Ltd, M/s Aruppukottai Brick Works & Building Constructions Pvt Ltd, M/s Sri Vaigai Transports Pvt Ltd (Transferor companies) and M/s Shri Govindaraja Textiles Pvt Ltd. (Transferee company). The petitions came to be filed before the Hon'ble High Court of Madras and stood transferred to this Bench and renumbered as TP(HC)18/CAA/2017, TP(HC)/19/CAA/2017, TP(HC)/20/CAA/2017 and TP(HC)/21/CAA/2017. The Hon'ble High Court of Madras in the Application Nos.1082, 1083/2016 has passed the orders as required under law on 15.12.2016. Since all the four companies are pertaining to the same

arrangement of merger, we take them together to pass a common order. In relation to all the four companies, we are inclined to issue notice to Regional Director, Ministry of Corporate Affairs, ROC concerned and the Income Tax Authorities. However, all the four companies are private companies and there is no requirement to issue notice to RBI, SEBI including other Stock Exchanges and Competition Commission of India. The Registry is directed to issue notice to the said authorities and the authorities if desirous of making any objection/ representation may do so within 30 days from the date the notice is received. In case no objection or representation is received during the said period, it shall be presumed that they/any of them have/has no objections/representations to make. We order to issue notice to the Official Liquidator in relation to the three transferor companies and direct him to appoint Chartered Accountants on his own and submit reports in relation to the three transferor companies within 4 weeks from the date the copy of this order is received. The applicant companies are directed to publish notice in the newspapers, one in English, and the other in vernacular having wider circulation in the State of Tamil Nadu, preferably, "Businessline" in English and "Malai Murasu" in Tamil. The publication shall not be less than 30 days from the date of hearing of the petition. All the four applicant companies are directed to issue private notice, to the authorities through speed post and file proof of sending and effecting notice, thereon along with proof of publication by way of affidavit before the next date of hearing. The applicant companies are also directed to upload the notices on the website/notice boards at their respective registered offices. The Registry is also directed to place the notices on the notice board of the NCLT. Put up on **08.06.2017 at 10.30 A.M.**


(K. ANANTHA PADMANABHA SWAMY)
(MEMBER (JUDICIAL))


(CH. MOHD. SHARIEF TARIQ)
(MEMBER (JUDICIAL))