

NATIONAL COMPANY LAW TRIBUNAL  
DIVISIONAL BENCH  
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW BOARD, CHENNAI HELD ON 15/06/2017 AT 10.30 AM

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

PETITION NUMBER : TCP/233/2016

NAME OF THE APPLICANT(S) : N. T. Sabapathy

NAME OF THE RESPONDENT(S) : Registrar of Companies, Chennai & another  
(In the matter of M/s Sree Sella Infratructure & Projects Ltd.)

UNDER SECTION : 614(1)

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

1 SAM JAYARAJ  
HOUSTON  
FOR  
M/S. R. KRISHNA PRASAD


FOR PETITIONER

  
15/6/17

**ORDER**

Mr. N.T. Sabapathy, Counsel for Petitioner present. The Petitioner has already submitted an affidavit along with copies of the newspaper as proof of effecting the service by way of publication of the notice in "New Indian Express", Chennai Edition and the other in vernacular i.e., "Dinamani" dated 10.10.2017. Based on the services of notice by way of newspaper publications, this Bench is satisfied that due service has been effected on R-2 and the same is held as sufficient. Therefore, we proceed ex-parte against R-2. The entire case is that the Petitioner has resigned from the post of Directorship on 13.12.2013. The Board of Directors have also acknowledged the resignation of the Petitioner. But the required Form 32 has not been filed by the 2nd Respondent Company before the ROC. The Petitioner has also approached the ROC. The private notice was also sent to the ROC concerned but there was no representation on his behalf. Therefore, in the facts and circumstances of the case, we allow the petition and direct the ROC to take on record the resignation of the Petitioner as Director of 2<sup>nd</sup> Respondent Company. The Petitioner is directed to file the copy of his resignation along with the copy of this order to ROC for compliance.

  
(S. VIJAYARAGHAVAN)  
MEMBER (TECHNICAL)

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