

NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH  
CHENNAI

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ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 29/08/2017 AT 10.30 AM

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

APPLICATION NUMBER :  
PETITION NUMBER : CP/31/2017  
NAME OF THE PETITIONER(S) : M. MUTHUKARUPPAN  
NAME OF THE RESPONDENT(S) : MADRAS RACE CLUB  
UNDER SECTION : 97 OF COMPANIES ACT 2013

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

1.	R. JAWAHARLAL	In Petition	R. Jawaharalal
2.	R. Murari, Senior Jr Pruthi Mohan	Counsel for Respondent	R. Murari

## ORDER

Counsel for Petitioner present. Counsel for Respondent also present. An affidavit on behalf of the Respondent is filed with regard to the individual notices sent to 640 persons whose names appear against one or both of the categories viz., 1) Not having submitted an application form to be admitted to the member of the club, 2) Not having paid the requisite entrance fees. The affidavit is placed on record. During course of arguments, the Counsel for Respondent suggested that, in the circumstances, there is a requirement of an independent person to scrutinize the record and to decide the issue in relation to the genuineness of members of the Club to whom the notice may be issued for the purpose of AGM. The suggestion has been accepted by the Petitioner subject to the condition that the independent person should not be the member of the Club and a time limit should be fixed for taking the decision on the issue under reference. The Counsel for Respondent has suggested the name of the Retired Hon'ble Justice Mr. K.P. Sivasubramaniam and submitted that he has already sought the consent of the Hon'ble Justice. Accordingly, we appoint Retired Hon'ble Justice Mr. K.P. Sivasubramaniam for determining the genuineness of members of the club and decide the genuineness of the membership whose names could find place in the register of members for the purpose of giving notice for AGM. This exercise shall be undertaken within four weeks subject to the convenience of the Retired Hon'ble Justice Mr. K.P. Sivasubramaniam.

8r Counsel for Respondent is directed to obtain a copy of this order and send it to the Retired Hon'ble Justice Mr. K.P. Sivasubramaniam for carrying out the assignment mentioned in the order. The fees of the Hon'ble Justice (Retd.) has to be decided mutually on agreeable terms and the Club shall pay the same. The report shall be submitted within six weeks i.e., on or before 17.10.2017. Put up on **17.10.2017 at 10.30 A.M.**

*Sd/-*  
(S. VIJAYARAGHAVAN)  
MEMBER (TECHNICAL)

*Sd/-*  
(CH. MOHD SHARIEF TARIQ)  
MEMBER (JUDICIAL)