

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
CHENNAI**

Argument heard on 21.06.2017
Order passed on 21.06.2017

CA 41/119(4)/CB/2017

**In the matter of Section 119 of the Companies Act, 1956 r/w Rule 26 of the
Companies (Management and Administration) Rules, 2014**

And

In the matter of

Pooram Kuries Private Limited

With

Anil Kumar Chozhiyankunnath Krishnan

Applicant represented by: Shri Soy Joseph, PCS
Respondent represented by: Philip T. Verghese, Advocate

CORAM

ANANTHA PADMANABHA SWAMY, MEMBER (JUDICIAL)

ORDER

1. Under consideration is a Company Application filed under section 119 of the Companies Act, 2013 r/w Rule 26 of the Companies (Management and Administration) Rules, 2014 and Rule 76 National Company Law Tribunal Rules, 2016.
2. Shri Soy Joseph, PCS appearing for the Applicant submitted that the Applicant is a shareholder as well as the Director of Pooram Kuries Private Limited (Hereinafter referred to as '**Respondent Company**') holding 100 Equity Shares of Rs. 100 each in the respondent company. The Respondent is a Private company limited by shares having registered office at No. XXV/395/397 & 38, 4th Floor, Pathayappura Building, Round Thrissur, Kerala- 680001. The

petitioner is also one of the first subscribers to the Respondent Company as evidenced from the subscriber sheet of MOA annexed as Annexure-A2.

3. The counsel for the Petitioner also submitted that as per the latest annual returns filed by the respondent company with the Registrar of Companies, the petitioner is a member of the Company.
4. On, 19.01.2017 by hand correspondence, the applicant had intimated his intention to inspect the minutes of General Body Meeting for the financial year ending 31st March, 2016 and the same has been acknowledged by the respondent company with its seal which is annexed as Annexure-A3. However, the Respondent Company failed to serve the same within the prescribed time limit of 7 days as stipulated in the Rule 26 of the Companies (Management and Administration) Rules, 2014.
5. It is further submitted that pursuant to Section 119 of the Companies Act, 2013, the company is required to admit the request raised by the shareholder by way of an application or communicate the reasons for such act of refusal within the stipulated time limit of 7 working days as prescribed under rule 26 of the Companies (Management and Administration) Rules, 2014. However, the respondent company has not affected any such intimation in this regard.
6. Aggrieved by the act of the Respondent Company, the Petitioner has approached this Tribunal praying for following relief:
 - a) To direct the Respondents to provide for an immediate inspection of the minute-books of the general meetings by the Petitioner;

- b) To direct the Respondents to furnish the copies of the minutes book of the general meetings, to the petitioner;
- c) Any other order as may be deemed fit by the Hon'ble Bench.
7. The Respondent on receipt of the notice caused appearance. In reply to the above Company Application, the counsel for the respondent company submitted that the respondent company has no objection to allow the applicant to inspect the Minutes of the meeting. As per the memo filed by the petitioner dated 20th June 2016, the company in its letter dated 13.06.2017 informed the applicant to inspect the minutes on all working days from 11 AM to 1 PM and to take the extract of Minutes required.
8. In view of the above, this bench directs the Respondent Company to provide for an inspection of the minute-books of the general meetings and furnish the copies of the minutes book of the general meetings. With the above direction the prayers as mentioned in the application are allowed
9. Accordingly, this company application stands disposed of.



(ANANTHA PADMANABHA SWAMY)
MEMBER (JUDICIAL)