

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH, HYDERABAD**

CP No.212/241/HDB/2017  
U/s 59, 62, 213, 241, 242, 447 & 448 of the  
Companies Act, 2013

In the matter of

1. Mr. M. Ramkrishan Rao,  
S/o. M. Manga Rao,  
R/o. H.No. 2-19-90/1,  
Road No.2 East Kalyanpuri,  
Uppal, Hyderabad-500039.
  2. Mr. V. Chandraiah,  
S/o. V. Laxmaiah,  
R/o. H.No.8-62/2, Road No.2,  
Sainagar Colony, Feerzadiguda,  
Medipally, Hyderabad-500098.
  3. Mr. Laxmi Narayan Joshi,  
S/o. Mr. Giga Ram,  
R/o. H.No. 1-5-578/2, Flat No. 505,  
New Maruthi Nagar, Kothapet,  
R.R.D Dist., Telangana.
  4. Mr. Kishal Gopal Rathi,  
S/o. B.L. Rathi,  
R/o. 1-3-49, Tagore Road,  
Gunj Bhongir, Yadadri Dist.
  5. Mr. Nimmala Seetha Ramaiah,  
S/o. Late Venkataiah  
R/o. H.No.3-8-483/1,  
Prashanth Nagar, Mansoorabad,  
L.B. Nagar, Hyderabad-500068.
  6. Mr. Mdugula Sathaiah, S/o. Late Jangaiah  
R/o. H.No.16-11-741/D/115/1/A,  
Shalivahan Nagar, Moosarambahi,  
Hyderabad-500326.
- ...Petitioners

**Versus**



1. M/s. Vinayaka Cotton Mills Private Ltd.  
Regd Office: Flat No. 12-5-35/A/9/G-8,  
Ground Floor, Ballad Estate,  
Tarnaka, Secunderabad-500017, TS.
2. Mr. K. Narasimha Goud,  
S/o. Late K. Yadagiri,  
R/o. 12-13-535, Street No. 14,  
Lane No. 10, Nagarjuana Nagar, Tarnaka,  
Secunderabad-500017, TS.
3. Mr. D. Mallesham Goud, S/o. D. Narsimha,  
R/o. 2-2-3/3/10A, DD Colony,  
Bagh Amberpet, Hyderabad-500013, TS.
4. Mr. Macha Malikarjuna Goud,  
S/o. Macha Maisaiah,  
R/o.2-2-3/3/10A, DD Colony,  
Bagh Amberpet, Hyderabad-500013, TS.
5. Ms. Macha Sreedevi, S/o. Mallesham Goud D.  
R/o.2-2-3/3/10A, DD Colony,  
Bagh Amberpet, Hyderabad-500013, TS.
6. Mr. Donkena Laxmi Narayana Goud,  
S/o. D. Narsimha  
R/o. 3-18-55, Pragathi Nagar,  
Ramanthapur, Hyderabad-500013.
7. Mr. Donkena Raja Goud,  
R/o. 11-1-1585/1,  
Kanteshvar, Nizamabad-505301.
8. Kuncham Madan Mohan,  
S/o. K. Srisailam,  
R/o. 19-31/1, Vivekananda Nagar,  
Dilsukh Nagar, Hyderabad-500060.
9. Kuncham Chandra Mohan Rao,  
S/o. Srisailam,  
R/o. 1-210, Padmavathi Colony,  
Farooq Nagar, Shad Nagar,  
R.R. Dist-509216.
10. Meddy Sudarshan Reddy,  
S/o. Narayan Reddy,  
R/o. 4-42, Nagireddy Pally,  
Maheswaram Mandal,  
R.R. Dist-509325.



11. Mr. B. Narender Rao,  
BNR Associates Chartered Accountants,  
404, Pragathi Pride,  
H.No.3-4-520, Barkatpur,  
Hyderabad-500027.
12. A.S Ramkumar and Associates  
Company Secretaries,  
A.S. Kumar, Suit No 1C, 1<sup>st</sup> Floor, Yaturi Towers,  
Lane Adj to PTI Building, Hyderabad-500 004.
13. Durgaprasad Reddy Bhimavarapu,  
Flat No. 303, Saikrishna Residency Madhavi Nagar,  
Jayanagar, Kukatpally, Hyderabad-500072.
14. Junna Shekar Reddy,  
7-1-282/15, Balkampet Scientific Colony,  
Hyderabad-500078 & Junna Life Science Pvt. Ltd,  
5-35/304/82, Mythri Nagar,  
IDA Extension, Hyderabad.
15. Regional Director, South East Region,  
Ministry of Corporate Affairs,  
Corporate Bhawan, Bandlaguda,  
Nagole, Hayath Nagar Mandal,  
Hyderabad-500068, Telangana.
16. The General Managar, SBP  
24/36, Kalapalathika Towers  
2<sup>nd</sup> Floor, Ambedkar Salai,  
Kodambakkam, Chennai-600024,  
Tamil Nadu.
17. K. Buchaiah,  
3-712/50, Balaji Nagar,  
L.B. Nagar, RR District-500074.
18. D. Lalitha W/o. K. Mallesham  
H.No.2-2-3/3/10/A, Baghamberpet,  
Hyderabad-500013. ...Respondents

Date of order: 01.01.2018

CORAM:

Hon'ble Shri Rajeswara Rao Vittalana, Member (Judicial)  
Hon'ble Shri Ravikumar Duraisamy, Member (Technical)



Parties/Counsels present:

For the Petitioners: Shri A. Ravindra, Advocate

Per: Rajeswara Rao Vittanala, Member (Judicial)

**ORDER**

1. The present Company Petition bearing CP No.212/241/HDB/2017, is filed by M. Ramakrishna Rao & 5 others, U/s 59, 62, 213, 241, 242, 447 & 448 of the Companies Act, 2013, by inter-alia seeking declare acts of the Respondents No. 1 to 12 as acts of oppression and mismanagement; to declare the allotment made by the Company for the year 2013-14, 2014-15 & 2015-16 as illegal, unlawful, void and void ab initio and all the resolutions passed thereat be declared as void ab initio and inoperative, etc.
2. Brief facts, leading to filing of present company petition, are as under:-
  - (a) M/s Vinayaka Cotton Mills Private Limited, the Respondent No.1 Company was incorporated as a Private Limited Company under the Provisions of Companies Act, 1956 on 19.04.1995. The Registered office of the Company is situated at Flat No. 12-5-35/A/9/G-8, Ground Floor, Ballad Estate, Tarnaka, Secunderabad - 500017.
  - (b) The main objects of the company is to carry on the business of cotton ginning, cotton pressing, cotton spinning, hemp and jute spinners, manufacturers of polyster blended yarn and synthetic textiles, etc.



3. The case is listed for admission on various dates viz, 04.10.2017, 13.11.2017, 20.11.2017, 30.11.2017, 04.12.2017, 21.12.2017 and today.
4. Heard Shri A. Ravindra, Learned Counsel for the Petitioner Company.
5. Shri M. Ramakrishna Rao, the first Petitioner, on behalf of all the Petitioners has filed an affidavit dated 21.12.2017 by inter-alia stating that they have received all amounts due from the promoters / present management of the Company by selling their equity in the Company to the management. Therefore, they may be permitted to withdraw the present Company Petition.
6. In view of the above affidavit and memo filed by the Petitioners and submissions made by the Learned Counsel for the Petitioners, the Petitioners can be permitted to withdraw the C.P. Accordingly, Company Petition bearing CP No.212/241/HDB/2017 is disposed as withdrawn. No order as to costs.



*Sd/-*  
RAVIKUMAR DURAISAMY  
MEMBER (TECHNICAL)

*Sd/-*  
RAJESWARA RAO VITTANALA  
MEMBER (JUDICIAL)

*llh*  
Dy. Regr./Asst. Regr./Court Officer/  
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति  
CERTIFIED TRUE COPY  
केस संख्या  
CASE NUMBER... CP No. 212/241/HDB/2017  
निर्णय का तारीख  
DATE OF JUDGEMENT... 1-1-2018  
प्रति तैयार किया गया तारीख  
COPY MADE READY ON... 5-1-2018