

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 31ST DAY OF AUGUST 2015/9TH BHADRA, 1937

WP(C).No. 26110 of 2015 (K)

PETITIONER(S):

ASWINI HOSPITAL LIMITED,
KARUNAKARAN NAMBIAR ROAD, THRISSUR, KERALA-680 001
REPRESENTED BY ITS MANAGING DIRECTOR
DR.A.C.VELAYUDHAN, S/O. CHOYIKUTTY, AGED 61 YEARS

BY ADVS.SRI.P.B.SUBRAMANYAN
SRI.SABU GEORGE
SRI.S.NITHIN (ANCHAL)

RESPONDENT(S):

1. O.P. ACHUTHANKUTTY,
S/O. GOVINDA MENON, AGED 62 YEARS, 'SANTHI', GURUVAYUR POST
THRISSUR-680 103.
2. SUGADHAN K.K.,
S/O. KUMARAN, AGED 67 YEARS
KOLLAPARAMBIL HOUSE, KUTTANELLOOR POST
THRISSUR-680 672.
3. DHANALAXMI BANK LIMITED
CHETTIYANGADI BRANCH, REPRESENTED BY ITS MANAGER
HIGH ROAD, THRISSUR-680 001.
4. CANARA BANK
NADATHARA BRANCH, REPRESENTED BY ITS MANAGER
POOCHATTI, NADATHARA, THRISSUR-680 751.

R1 & 2 BY ADV. SRI.C.UNNIKRISHNAN (KOLLAM)
R1-R2 BY ADV. SRI.M.R.RAJENDRAN NAIR (SR.)
R3 BY ADV. SRI.VIVEK VARGHESE P.J., SC, DHANLAXMI BANK
R BY SRI.V.B.HARI NARAYANAN
R BY SRI.C.K.KARUNAKARAN,SC,DHANALAKSHMI BAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
31-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE CERTIFICATE OF INCORPORATION DTD.2.1.2013.
- P2 : COPY OF THE FIR NO.1892/2015 OF THRISSUR EAST POLICE STATION
DTD.29.7.2015.
- P3 : COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE SUB
INSPECTOR OF POLICE, THRISSUR CITY EAST POLICE STATION,
DTD.29.7.2015.
- P4 : COPY OF THE ORDER PASSED BY THE ADM, THRISSUR, DTD.30.7.2015.
- P5 : COPY OF THE COMPLAINT DTD.29.7.2015, FILED BEFORE THE COMMISSIONER
OF POLICE, THRISSUR.
- P6 : COPY OF THE LETTER ISSUED BY THE CANARA BANK, DTD.6.8.2015.
- P7 : COPY OF THE PRINTOUT TAKEN FROM WEBSITE OF MINISTRY OF CORPORATE
AFFAIRS, DATED NIL.

RESPONDENT(S)' EXHIBITS

- EXT.R2(a) TRUE COPY OF THE STATEMENT OF ACCOUNT FOR THE PERIOD FROM
1.8.2012 TO 31.8.2012 ISSUED BY THE SOUTH INDIAN BANK LTD.,
THRISSUR IN RESPECT OF THE HOLDING COMPANY PUNARJANI
SECURITIES LIMITED, TRICHUR.
- EXT.R2(b) TRUE COPY OF THE REPORT WITHOUT ANNEXURES DATED
20.6.2015 OF THE INDEPENDENT CHAIRMAN SUBMITTED TO THE CLB.
- EXT.R2(c) TRUE COPY OF THE ORDER DATED 7.7.2015 OF THE CLB, CHENNAI
IN C.P.NO.34/2015
- EXT.R2(d) TRUE COPY OF THE FIR IN CRIME NO.1892/2015 OF TRICHUR EAST
POLICE STATION AGAINST DR.A.C.VELAYUDHAN & OTHERS
UNDER SECTION 323, 392, 506(II), 34, 452 & 427 OF IPC.
- EXT.R2(e) TRUE COPY OF THE FIR IN CRIME NO.1840/2015 OF TRICHUR
EAST POLICE STATION REGISTERED ON 25/7/2015 AGAINST DR.
A.C. VELAYUDHAN & OTHERS.

: 2 :

- EXT.R2(f) TRUE COPY OF THE FIR IN CRIME NO.1443/2015 OF KUNNAMKULAM POLICE STATION REGISTERED ON 1.8.2015 AGAINST DR.A.C. VELAYUDHAN & OTHERS.
- EXT.R2(g) TRUE COPY OF THE ORDER DATED 30.7.2015 OF THE ADM IN CHARGE OF DISTRICT MAGISTRATE, TRICHUR.
- EXT.R2(h) TRUE COPY OF THE LETTER DATED 12/8/2015 OF THE ROC ADDRESSED TO THE DISTRICT COLLECTOR.
- EXT.R2(i) TRUE COPY OF THE LETTER DATED 20.8.2015 ISSUED BY THE ASSISTANT MANAGER AND THE NURSING SUPERINTENDENT TOGETHER TO THE FIRST RESPONDENT, CHAIRMAN.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.26110 of 2015

Dated this the 31st day of August, 2015

J U D G M E N T

The directions in the interim order dated 25.8.2015 are complied with. No further directions are therefore warranted in this writ petition. The petitioner is free to challenge the order now passed by the Company Law Board appropriately.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.