

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P. (NPD) NO.2552 OF 2017
AND CMP NOS.12164 AND 13209 OF 2017

M/s.Sri Renga Creative Apparels (India) Pvt. Ltd.,
Rep. by its Managing Director
"Sri Renga Castle"
68, Bharathi Park 7th Cross
Saibaba Colony, Coimbatore. ... Petitioner

Vs.

M/s.Aruppukottai Sri Jayavilas Ltd.,
Rep. by its Director T.R.S.Karthikeyan
No.3/333, Melakondamangalam,
Tamil Padi Post,
Aruppukottai - 626 129. ... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 19.07.2017 made in T.C.P.No. 527/(IB)/CB/2017 on the file of the National Company Law Tribunal, Chennai Bench.

For Petitioner : Mr.M.S.Krishnan
Senior Counsel for Ms.P.T.Asha
for M/s.Sarvabhauman Associates

For Respondent : Mr.Sathish Parasaran
Senior Counsel for
Mr.Thiryambak J Kannan

ORDER

This Civil Revision Petition is filed against the order dated 19.07.2017 passed by the National Company Law Tribunal, Chennai Bench.

2. The grievance of the petitioner is that the order came to be passed in utter violation of principles of natural justice.

3. This Court granted interim stay on 24.07.2017 in CMP No.12164 of 2017 in CRP (NPD) No.2552 of 2017. On notice, the respondent has entered appearance and filed detailed counter setting out the factual matter.

4. Now that, it is open for the petitioner to contest the matter on merits before the National Company Law Tribunal. This Court cannot delve into the merits of the matter as the exclusive jurisdiction is conferred upon the National Company Law Tribunal. The order passed by the National Company Law Tribunal dated 19.07.2017 alone is set aside for non-compliance of principles of natural justice. However, it is open to the Tribunal to pass orders on merits after hearing the parties.

5. In view of the same, the Civil Revision Petition is disposed

of with a direction to the petitioner to agitate all their claims before the National Company Law Tribunal. The National Company Law Tribunal is directed to decide the matter on merits, after giving opportunity to the respondent to put forward their case. No costs. Consequently, connected civil miscellaneous petitions are closed.

24.10.2017

Index : Yes/No

Internet : Yes/No

TK

To

The National Company Law Tribunal
Chennai Bench.



WEB COPY

M.GOVINDARAJ, J.

TK



C.R.P. (NPD) NO.2552 OF 2017

WEB COPY

24.10.2017