

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.R.P.No. 3139 of 2018

and

C.M.P.Nos.18052 and 22252 of 2018

Mrs.Komathi Rajan

... Petitioner

vs

1. M/s. Anandham Property Developers Private Limited
Plot No.1320, Door No.33, Golden Colony,
Anna Nagar West Extension
Padi, Chennai-600 050
Tamil Nadu.

2. A.Shirany Gomez
3.Kasthuri Palani
4.Mr.Palani Balasundaram
5.Mr.R.S.Rajan
6.Mrs.Chitra Lakshmanan
7. D.Govindarajan
8. Mr.K.U.Shivakumar
9. Madavan.D
10.Mangaiyar Thilagam
11.Michila Mary
12.Shanmugasundaram
13.P.NandhaKumar
14.R.Anusuya
15.R.Jayabharathi
16.R.Vijayalakshmi
17.Selvanayagam
18.S.Latha
19.T.K.Ramakrishnan
20.J.Usha Rani
21.Vimala Govindarajan
22.Sudha Sundar.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the adjudicatory proceeding dated 11.09.2018 and consequentially dismiss the TCP

No.103 of 2016 as infructuous on the file of the National Company Law Tribunal.

For Petitioner : Bhasker.K

For Respondents : Mr.T.Sirish Chowdary
& T.Harish Chowdary
for M/s.T.M.Naidu & Co.
for R2.
Non-appearance for R1, R3 to R22.

ORDER

It is submitted by the learned counsel for the petitioner that since the name of the respondent's company had been struck off from the roles of the registry of companies, he had sought for striking of the proceedings in the company petition. In this background, since no application has been filed for revival of the company, an order of interim stay came to be granted by this Court in the present Civil Revision Petition .

2. Today when the matter was called up, learned counsel for the respondent produced a copy of the application in C.A.No.68 of 2018, pending before NCLT, wherein they had sought for revival of the company. It is submitted that the said application is now pending and since the petitioner herein had filed the Civil Revision Petition only on the ground that the company has been struck down from the Register of Companies and no application has been filed for revival of the company, in view of the present position, wherein an application has already been made, the ground raised loses importance. The learned counsel for the petitioner fairly submitted that they can be granted liberty to put forth their objections in the application pending before the NCLT and that the present Civil Revision Petition can be closed. Since the NCLT is now seized of the revival petition, no useful order can be passed in the present Revision Petition.

3. Accordingly, the Civil Revision Petition stands closed. No cost. Subsequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssb

To

1. The National Company Law Tribunal,
Chennai.

+1 cc to Mr.K.Bhaskar, Advocate Sr.No.2911

+1 cc to M/s.T.M.Naidu & Co, Advocate Sr.No.2691

C.R.P.No. 3139 of 2018

and

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NRL(CO)

CSL/26.02.2019