



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.14357 of 2021

CA.V.Venkata Siva Kumar

.. Party in person

vs

1. Union of India, Ministry of
Corporate Affairs (MCA),
rep.by Secretary, Garage No.14,
A Wing, Shastri Bhawan,
Rajendra Prasad Road,
New Delhi-1.
2. The Hon'ble NCLT, rep.by the
Hon'ble Registrar, III Floor,
Pt. Deen Dayal Antyodaya
Bhawan, CGO Complex,
Lodhi Road, New Delhi-3.
3. The Insolvency and Bankruptcy
Board of India, rep.by the Deputy
General Manager, 7th Floor,
Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi-1.
4. Union of India, Ministry of
Law and Justice, rep.by Deputy
Secretary, 4th Floor, A Wing,
Shastri Bhawan, New Delhi-1.

.. Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus to direct the first respondent to immediately operationalize the third Division Bench at Chennai NCLT, for which, the infrastructure was already made ready in 2018 and fill up all the vacant posts of the Adjudicating Authorities in the Hon'ble NCLT Benches in



particular in Chennai as per Notification No.A-12023/3/2019-Ad.
IV dated 26.8.2019.

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Petitioner

: Appearing in person

For Respondents

Mr.R.Rajesh Vivekananthan
Central Government Standing
Counsel for R1 & R4

Mr.C.V.Ramachandramurthy
for R3

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Learned Central Government Standing Counsel has produced a copy of the order dated 03.12.2021 passed by the National Company Law Tribunal, New Delhi-3, by which, Judicial and Technical Members have been nominated for Kochi Bench as well as for Chennai Court No.2, thereby the two Benches at Chennai National Company Law Tribunal are made fully functional.

2. It is relevant to place on record that prior to the order dated 03.12.2021, one Technical Member was working half day for Chennai Bench No.2 and half day for Kochi Bench. However, after the order dated 03.12.2021, both the Benches of the Chennai National Company Law Tribunal are fully functional.

3. In view of the above, the writ petition has become infructuous, however, we leave it open for the petitioner to pursue the matter with regard to Third Bench of the National Company Law Tribunal at Chennai, in due course of time, keeping in mind the pendency of cases.

4. The writ petition is accordingly disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

RS



To:

1. Union of India, Ministry of Corporate Affairs (MCA), rep.by Secretary, Garage No.14, A Wing, Shastri Bhawan, Rajendra Prasad Road, New Delhi-1.
2. The Hon'ble NCLT, rep.by the Hon'ble Registrar, III Floor, Pt. Deen Dayal Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi-3.
3. The Insolvency and Bankruptcy Board of India, rep.by the Deputy General Manager, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi-1.
4. Union of India, Ministry of Law and Justice, rep.by Deputy Secretary, 4th Floor, A Wing, Shastri Bhawan, New Delhi-1.

+1cc to M/s.C.V.Ramachandramoorthy, Advocate, S.R.No.64411

W.P.No.14357 of 2021

KSM(CO)
SU(09/12/2021)