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C.P.No.196 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2023

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

C.P.No.196 of 2015
& O.A.Nos.948 and 949 of 2014
& Comp.A.No.142 of 2016

M/s.TMS Holdings Limited,
Suite 409, City Tower 1, Sheikh Zayed Road,
Post Box No.118767, Dubai, U.A.E/.
Rep by its Director Mrs. Kiyan Ashok Tangri.

... Petitioner

Vs.

- 1.M/s.KaptanMCA Tracktech Private Limited,
No.27, Subramaniam Street, Abiramapuram,
Chennai Tamil Nadu 600 018.
- 2.M/s.MCA Management Consultants Private Limited
No.27A/40 & 40A, Subramaniam Street, Abhiramapuram,
Chennai, Tamil Nadu 600 018.
- 3.C.Sivakumar
- 4.Chitra Sivakumar
- 5.Rajan Kanagansabai
- 6.Vikram Sivakumar



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7.Lata Sundaram

8.Balambikai Sundaram

9.The Registrar of Companies,
Block No.6B, Wing 2nd Floor,
Shastri Bhawan, 26 Haddows Road,
Chennai 600 034, Tamil Nadu.

... Respondents

[***9th respondent *suo motto* impleaded as per the order dated 07.01.2022 in Comp.A.Nos.142 of 2016 and 172 of 2021 in C.P.No.196 of 2015]

Company Petition filed under Section 439(1)(c) read with Section 439(4)(b) of the Companies Act, 1956 to appoint an official liquidator under the provisions of the Companies Act and to take charge of all of its assets, properties, vouchers, documents, bank accounts, etc., to wind up the 1st respondent with all powers under the provisions of the Companies Act, and to pass an order for the winding up of the first respondent company.

For Petitioner : Mr.V.Venkadasalam

For Respondents : Mr.P.V.Balasubramanian,
of M/s.BFS Legal, for R1 and R2
Mr.Arun Anbumani, for R3 to R8

ORDER

This Company Petition has been filed under Section 439(1)(c) read with Section 439(4)(b) of the Companies Act, 1956 (hereinafter called as "the Act") to appoint an official liquidator under the provisions of the Companies Act and to take charge of all of its assets, properties, vouchers,



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documents, bank accounts, etc., to wind up the 1st respondent with all powers under the provisions of the Companies Act, and to pass an order for the winding up of the first respondent company.

2. The learned counsel submitted that the first respondent company has already been struck off from the register of companies by the Registrar of Companies, Chennai vide ROC Notice bearing No.ROC/CHN/S.248/STK-5/1/2018 on 04.06.2018.

3. In view of the above submission, nothing survives in this Company petition. Accordingly, this Company Petition is dismissed as infructuous. Consequently, the connected applications in O.A.Nos.948 and 949 of 2014 and Comp.A.No.142 of 2016 are closed.

02.02.2023
(2/2)

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation: Yes / No
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KRISHNAN RAMASAMY.J.,
nsa

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& O.A.Nos.948 and 949 of 2014
& Comp.A.No.142 of 2016

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