



Company Application Nos.980 & 981 of 2016
in Company Petition No.372 of 2013

WEB COPY

KRISHNAN RAMASAMY, J.

These Company Applications have been filed for the following reliefs:

- (i) Company Application No.980 of 2016 – To pass an order of injunction restraining the 3rd & 4th respondents from acting/functioning as additional directors in the Board of Directors of the 2nd respondent company
- (ii) Company Application No.981 of 2016 – To pass an order that the 3rd & 4th respondents be removed from the additional directorship of the 2nd respondent company.

2. This Court vide its order dated 04.01.2019, passed an order of interim injunction in these applications, restraining the 3rd & 4th respondents from functioning as Additional Directors in the Board of Directors of the second respondent company, till 11.01.2019. Thereafter, this Court vide its order dated 18.01.2019, extended the said interim injunction order, until further orders.

3. The learned counsel appearing for 3rd & 4th respondents submitted that the 3rd & 4th respondents had resigned from the second respondent company on 14.08.2019. He further submitted that the applicant has filed a Contempt Petition No.1722 of 2019 before this Court, seeking to punish the 3rd & 4th respondents for wilful disobedience of the order dated 18.01.2019 passed by this Court in Comp.A.No.980 of 2016. However, the said Contempt Petition was



closed by this Court vide its order dated 13.06.2023. Therefore, the learned counsel prayed this Court to close these applications.

4. The learned counsel for the applicant submitted that this Court passed the aforesaid interim injunction order on 04.01.2019, but, the 3rd & 4th respondents had resigned their post from the second respondent company only on 14.08.2019 i.e., after a lapse of seven months. Such act of the 3rd & 4th respondents is nothing but an absolute violation of the order dated 04.01.2019 passed by this Court.

5. The prayer sought in the present applications is to grant an order of injunction restraining the 3rd & 4th respondents from acting as Additional Directors in the Board of Directors of the 2nd respondent company and to remove them from the Additional Directorship. Since the 3rd & 4th respondents have resigned from the 2nd respondent company as early as on 14.08.2019, this Court is of the view that the relief sought by the applicant has become infructuous and nothing survives in these applications for further adjudication. Hence, these Company Applications are dismissed as infructuous.

16.06.2023

mrr



WEB COPY



KRISHNAN RAMASAMY, J.

mrr

Company Application Nos.980 & 981 of 2016
in Company Petition No.372 of 2013

16.06.2023