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Company Application Nos.304 to 308, 310 to 330 & 278 of 2019  
in Company Application No.22 of 2019  
in Company Petition No.132 of 2008

**KRISHNAN RAMASAMY, J.**

The present Company Applications have been filed by the applicants seeking to implead them as proposed respondents in Company Application No.22 of 2019 in Company Petition No.132 of 2008.

2. The learned counsel for the applicants submitted that the Company Petition No.132 of 2008 was originally filed by one M/s.Anjaneya Cotton Mills Private Ltd., Rep. by its Director, having its Registered Office at Bangalore, Branch Office at NMS Compound, Erode, for the following reliefs:

- (i) To wound up the company viz., M/s.Sheela Rani Textiles Limited, under the provisions of the Companies Act, 1956;
- (ii) To appoint an Official Liquidator, Madras High Court as the Liquidator of the company viz., M/s.Sheela Rani Textiles Limited and
- (iii) To direct payment of the cost of the petition.

This Court vide its order dated 05.03.2014, wound up the said M/s.Sheela Rani Textiles Limited and appointed an Official Liquidator attached to this Court as the provisional Liquidator to take charge of all the assets and effects of the said company.

2.1. While so, since settlement arrived between the parties, the original petitioner filed a Company Application No.702 of 2015, for withdrawal of



Company Petition No.132 of 2008. This Court vide its order dated 24.10.2016, dismissed the said application and substituted a Trade Union viz., Madurai Rural District Textiles Workers Union, No.3, Thodanary Road, Samayanallur Post, Madurai – 625 402 as petitioner in C.P.No.132 of 2008.

2.2. Further, the learned counsel submitted that the applicants were workers in the aforesaid Madurai Rural District Textiles Workers Union. Since the said Trade Union did not act on the interest of workers, the applicants and some other workers withdrew their membership from the said Trade Union and joined in a new Trade Union viz., Madurai Mavatta Panchalai – Aadai Matrum Pothu Thozhilalar Sangam, 8/35-A Nedunchezian Street, Puthuvilangudi, Madurai – 18, as a result of which, the communications from the Official Liquidator to the former Trade Union have not been properly communicated to the applicants and other workers who left the former Trade Union. Under these circumstances, the applicants came to know that the Official Liquidator has passed an Adjudication Order, rejecting the claims made by them as well as other workers who left the former Trade Union. The said Adjudication Order was not at all communicated to the individual workers (including applicants) either by the former Union or by the Official Liquidator. Hence, the aggrieved applicants have filed the present applications for the relief stated *supra*.

2.3. The main grievance of the applicants is that they were not yet served with a copy of the said Adjudication Order which was passed by the Official Liquidator. It would be suffice that if the applicants are served with a copy of the



said Adjudication Order. Therefore, the learned counsel prayed this Court to issue appropriate direction to the learned Official Liquidator to serve a copy of the said Adjudication Order to the applicants individually and also, prayed this Court to grant liberty to the applicants to challenge the said Adjudication Order, if they are aggrieved over the same.

3. Considering the above facts and circumstances of the case and having regard to the submissions made by the learned counsel for the applicants, this Court directs the learned Official Liquidator to serve a copy of the aforesaid Adjudication Order to the applicants individually, within a period of two weeks from the date of receipt of a copy of this order. Further, it is made clear that if the applicants are aggrieved over the Adjudication Order passed by the Official Liquidator, they can challenge the said Adjudication Order, in the manner known to law.

4. With the above observations, these Company Applications are disposed of.

02.06.2023

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