



O.S.A.No.19 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 15.11.2024

CORAM

**THE HONOURABLE MR. JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR. JUSTICE P.DHANABAL**

O.S.A.No.19 of 2016

and

C.M.P.Nos.2253 & 10363 of 2016, 20329, 20331, 20333 & 20335 of 2017

M/s.Helios and Matheson Information
Technology Limited,
Adwave Towers, 17 South Boag Road,
Chennai - 600 017, T.N.

.. Appellant

Vs.

1. Baby Sundaram
2. Dimple Hoshang Vevaina
3. Roshan Noshir Karajia
4. Shashikala Rajpurkar
5. Kamala Yethiraj
6. Vimal Vaidya
7. Vidya Prakash Tonsekar
8. Prakash Tonsekar
9. Ashlesha P.Dharani
10. Raunak P.Dharani
11. Maria Dias
12. Anish Rajanikant Bengali
13. Ajit Vasant Chitre



O.S.A.No.19 of 2016

14. Pallavi Vikrant Chitre
15. Shailaja Ajit Chitre
16. Anish Rajanikant Bengali (HUF)
17. Sarayu Rajanikant Bengali
18. Rajanikant Harilal Bengali (HUF)
19. Yogesh R.Amanlal Shah
20. Kalpana Yogesh Shah (HUF)
21. Prabhavati K.M.Patel
22. Dhimant Yogesh Shah (HUF)
23. Maria Murtaza Patrawala
represented by Natural Guardian
Murtaza Abdul Hussein Patrawala
24. Crystal Asawa
25. Asootosh Asawa
26. Katija Hasanali Merchant
27. Munira Shabbir Pittalwala
28. Tasneem Shabbir Pittalwala
29. Katoon S.Merchant
30. Yasmin S.Merchant
31. Ramesh Ramchandra Ghodke
32. Meena Tibrewala
33. Vishwanath Tibrewala (HUF)
34. Fatema Shabbir Pittalwala
35. Deputy Superintendent of Police,
CCIW CID, EOW-I,
Guindy, Chennai - 600 032.
36. The Registrar of Companies,
Shastri Bhavan,
No.22, Haddows Road, Chennai.
37. Uma Vyas
38. Chetna Vyas
39. Prasad P.Gokhale
40. Homai Persi Munshi
41. Sainath Krishna Iyer
42. Jehangir Pirojsha Deboo
43. Maria Rodrigues



O.S.A.No.19 of 2016

44. Felicia Rebello
45. Darleth Rebllo
46. Arthur Rebello
47. Errol Sequeira
48. Sushma Saldanha
49. Dr.Lif Saldanha
50. J.S.Bhatnagar
51. Dr.P.S.Bhatnaga
52. Ranjana Bhatnagar
53. A.Selvi
54. Murtaza Abdul Hussein Patrawala
55. Tanseem Shabbir Pattalwala
56. Kamlaben M.Patel
57. Mangalbhai K.Patel
58. Premila M.Patel
59. Veena M.Patel
60. Raju Hariharan
61. Shantanu Vyas
62. Siddhant Vyas
63. Sunita Hariharan
64. Vasantha Keshav Pillai
65. Shakuntala Devi
(represented through Power of Attorney Holder Mr.Vineet Kumar)
66. Kedar Singh
(represented through Power of Attorney Holder Mr.Vineet Kumar)
67. Sunil P Oza
68. Manjulaben S Oza
(represented through Power of Attorney Holder Mr.Sunil P Oza)
69. Varun Oza
(represented through Power of Attorney Holder Mr.Sunil P Oza)
70. Dipika Varun Oza
(represented through Power of Attorney Holder Mr.Sunil P Oza)
71. Rajiv Oza
(through Power of Attorney Holder Mr.Sunil P Oza)
72. Parita Oza
(through Power of Attorney Holder Mr.Sunil P Oza)



WEB COPY

73. Hansrajbhai D Hirpara
74. Hansaben Hirpara
(through Power of Attorney Holder Mr.Hansrajbhai Hirpara)
75. Sweta Hirpara
(through Power of Attorney Holder Mr.Hansrajbhai Hirpara)
76. Darvin Hirpara
(through Power of Attorney Holder Mr.Hansrajbhai Hirpara)
77. Uravashi Hirpara
(through Power of Attorney Holder Mr.Hansrajbhai Hirpara)
78. Kanthilal N Oza
79. Sharda K Oza
(through Power of Attorney Holder Mr.Kantilal N Oza)
80. Urmil K Oza
(through Power of Attorney Holder Mr.Kantilal N Oza)
81. Shital Oza
(through Power of Attorney Holder Mr.Kantilal N Oza)
82. Rina K Oza
(through Power of Attorney Holder Mr.Kantilal N Oza)
83. Rhythm U Oza
(through Power of Attorney Holder Mr.Kantilal N Oza)
84. Timmappa D.Kamat
85. Chandrika T. Kamat
86. Anita S Bhat
87. N.Sakkubai
88. Shaila P. Vora
89. Piyush H.Vora
90. Karishma P.Vora
91. Nainvi P. Vora
92. Serious Fraud Investigation Office
represented by its Assistant Director (Investigation),
Government of India,
Ministry of Corporate Affairs, Regional Office,
6th Floor, Everst Building, 100, N.S.Road,
Marine Drive, Mumbai – 400 002.



O.S.A.No.19 of 2016

93. Pandya.K.M
94. Usha K.Pandya
95. Neela Ramachandra Angel
96. Jignesh Mahesh Bhatt
97. Mahesh Bhatt
98. Murtuza Abdul Hussien Patrawala
99. Tanseem Shabbir Pittalwala
100. Chintan M.Bhatt
101. Alaknanda M.Bhatt
102. Vijaya Shankar Girmé
103. Sathishchandra L.Bilgi
104. Vijayalaxmi S.Bilgi
105. Neha Ravishankar Bilgi
106. Vivel L. Bilgi
107. Suresh L.Bilgi
108. Sarojini Nilkanth Parab
109. Mangaladevi H.Desai – Kalgutkar
110. Sadanad N.Parab
111. Arundhati A.Parab
112. Varsha R.Shetti
113. Meghamala V. Natu
114. Kirti Kashiram Sawant
115. Prasad P.Gokhale
116. Alka Ashok More
117. Aniket Ashok More
118. Om Prakash
119. Rajesh Kumar
120. Sushila Ahuja
121. Yatindra Arvind Chaubal
122. Vaikhari Yatindra Chaubal
123. Chakor Rajaram Ajgaonkar
124. Kaumudi Chakor Ajgaonkar
125. Rakhee Abhay Jadhav
126. Asmita P.Magar
127. Vrushali Vinayak Jadhav
128. Vinayak Chandra Jadhav



O.S.A.No.19 of 2016

129. Nirmala Lalit Khandelwal
130. Lalit B.Khandelwal
131. Rosalia D' Siva
132. Ignatius D' Silva
133. Sanjay P.Shah (HUF)
134. Pravinkumar J. Shah (HUF)
135. Trupti P.Shah
136. Sanjay P.Shah
137. Sureshchandra C.Shah
138. Anita S.Shah
139. Kamal Kishore Jajoo
140. Kanta Devei Jajoo
141. Abishek Jajoo
142. Abhishek Jajoo (HUF)
143. Thirty Bomi Patel
144. Kayzad Bomi Patel
145. Kainaz Bomi Patel
146. Karishma Bomi Patel
147. Yasmin Farshid Kapadia
148. Rita Stephen Fialho
149. James Marion Fialho
150. Harriet James Fialho
151. Atul Mital
152. Kumund Mital
153. Santhosh Mital
154. Abinav Mital
155. Ankit Mital
156. Neha Mital
157. Atul Mital and Sons (HUF)
No.4596/1A, 11 Darya Gauj, New Delhi – 110 002.
158. Prem Chand Mital (HUF)
159. David D' Souza
160. Alice D' Souza
161. Darlene D' Souza
162. Aaron D' Souza
163. Karsan Devanbhai Mavur



O.S.A.No.19 of 2016

164. Dhwaniben Sirishkumar Patel
165. Abbas Husaini Varawalla
166. Zainab Abbas Varawalla
167. Husnain Abbas Varalla
168. Saira Abbass Varawalla
169. Manjushree Goenka
170. Mahendra Kumar Goenka (HUF)
171. District Revenue Officer,
Chennai.

.. Respondents

- R2 to R34 impleaded as party respondents vide order of the Court dated 10.08.2016 made in C.M.P.Nos.9303 to 9306, 10869 to 10873, 11008 to 11015, 11427 to 11430, 11505 to 11516/2016 in OSA No.19 of 2016.
- R35 impleaded as party respondent vide order dated 21.11.2017 made in C.M.P.No.12574 of 2016 in O.S.A.No.19 of 2016.
- R36 impleaded as party respondent vide order dated 14.12.2020 made in C.M.P.No.22809 of 2019 in O.S.A.No.19 of 2016.
- R37 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.16275 of 2016 *etc.* batch in O.S.A.No.19 of 2016.
- R38 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.16276 of 2016 *etc.* batch in O.S.A.No.19 of 2016.
- R39 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.16959/2016 *etc.* batch in O.S.A.No.19/2016.
- R40 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.16960/2016 *etc.* batch in O.S.A.No.19/2016.
- R41 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.16961/2016 *etc.* batch in O.S.A.No.19/2016.
- R42 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.16962/2016 *etc.* batch in O.S.A.No.19/2016.
- R43 impleaded as proposed respondent vide order dated 04.07.2022 made in C.M.P.No.17250/2016 *etc.* batch in O.S.A.No.19/2016.
- R44 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.17509/2016 *etc.* batch in O.S.A.No.19/2016.
- R45 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.17510/2016 *etc.* batch in O.S.A.No.19/2016.



- R46 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.17511/2016 *etc.* batch in O.S.A.No.19/2016.
- R47 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.17967/2016 *etc.* batch in O.S.A.No.19/2016.
- R48 to R53 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.4498/2017 *etc.* batch in O.S.A.No.19/2016.
- R54 & R55 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.8144/2017 *etc.* batch in O.S.A.No.19/2016.
- R56 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.20328/2017 *etc.* batch in O.S.A.No.19/2016.
- R57 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.20330/2017 *etc.* batch in O.S.A.No.19/2016.
- R58 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.20332/2017 *etc.* batch in O.S.A.No.19/2016.
- R59 impleaded as party respondent vide order dated 04.07.2022 made in C.M.P.No.20334/2017 *etc.* batch in O.S.A.No.19/2016.
- R60 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.3535/2018 *etc.* batch in O.S.A.No.19/2016.
- R61 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.3536/2018 *etc.* batch in O.S.A.No.19/2016.
- R62 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.3537/2018 *etc.* batch in O.S.A.No.19/2016.
- R63 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.3538/2018 *etc.* batch in O.S.A.No.19/2016.
- R64 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.3539/2018 *etc.* batch in O.S.A.No.19/2016.
- R65 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.4637/2018 *etc.* batch in O.S.A.No.19/2016.
- R66 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.11537/2018 *etc.* batch in O.S.A.No.19/2016.
- R67 to R72 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.13793/2018 *etc.* batch in O.S.A.No.19/2016.
- R73 to R77 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.13794/2018 *etc.* batch in O.S.A.No.19/2016.



WEB COPY

- R78 to R83 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.13795/2018 *etc.* batch in O.S.A.No.19/2016.
- R84 to R86 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.17730/2018 *etc.* batch in O.S.A.No.19/2016.
- R87 impleaded as proposed respondent vide order dated 04.07.2022 made in C.M.P.No.13872/2018 *etc.* batch in O.S.A.No.19/2016.
- R88 to R91 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.1041/2020 *etc.* batch in O.S.A.No.19/2016.
- R92 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.3491/2020 *etc.* batch in O.S.A.No.19/2016.
- R93 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.6810/2020 *etc.* batch in O.S.A.No.19/2016.
- R94 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.6821/2020 *etc.* batch in O.S.A.No.19/2016.
- R95 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.4015/2021 *etc.* batch in O.S.A.No.19/2016.
- R96 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.4023/2021 *etc.* batch in O.S.A.No.19/2016.
- R97 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.4028/2021 *etc.* batch in O.S.A.No.19/2016.
- R98 and R99 impleaded as respondents vide order dated 04.07.2022 made in C.M.P.No.4029/2021 *etc.* batch in O.S.A.No.19/2016.
- R100 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.4034/2021 *etc.* batch in O.S.A.No.19/2016.
- R101 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.4054/2021 *etc.* batch in O.S.A.No.19/2016.
- R102 impleaded as respondent vide order dated 04.07.2022 made in C.M.P.No.18460/2021 *etc.* batch in O.S.A.No.19/2016.
- R103 to R170 impleaded as proposed respondents vide order dated 04.07.2022 made in C.M.P.No.20087/2017 *etc.* batch in O.S.A.No.19/2016.
- R171 *suo motu* impleaded as party respondent vide order dated 28.07.2022 made in C.M.P.No.3491/2020 *etc.* batch in O.S.A.No.19/2016.



O.S.A.No.19 of 2016

WEB COPY

Original Side Appeal filed under Order XXXVI Rule 11 of OS Rules read with Clause 15 of Letters Patent and Section 483 of the Companies Act, against the order passed by this Court in C.P.No.143 of 2015, dated 21.01.2016.

For Appellant : Mr.Nithyaesh Natraj

For Respondents : Mr.R.Venkatavaradhan [R1]

Mrs.M.S.Rajeswari

[R2, R4 to R34, R39, R40, R41, R42, R44, R45, R46, R54, R55, R93, R94, R95, R96, R97, R98, R99, R100 & R101]

Mr.Rajesh Ramanathan [R3 & R102]

Mr.K.Srinivasa Murthy [R28]

Mr.S.Janarthanam [R36]

Mr.M.Aravinda [R37, R38, R43 & R47]

Mrs.Girija Velmurugan [R39, R103 to R170]

Mr.A.Sivaji [R48 to R53]

Mrs.Lilly Francis for M/s.King & Patridge
[R56 to R59]

M/s.Ojas Law Firm [R60 to R64]

Mr.S.A.Shanmugam [R65 & R66]

Mr.P.Giridharan [R67 to R83]

Ms.Pushpa Menon [R84 to R86]

Mr.Anirudh Krishnan [R88 to R91]

Mr.ARL.Sundaresan, Additional Solicitor General
assisted by Mr.Srinivasa Murthy, SPC [R92]

Mr.T.Arunkumar, Additional Government Pleader
[R171]



WEB COPY



O.S.A.No.19 of 2016

JUDGMENT

[Delivered by **S.S.SUNDAR, J**]

This appeal has been filed challenging the order passed by this Court in C.P.No.143 of 2015, dated 21.01.2016.

2. Learned counsel for appellant submitted that in view of the order passed by this Court in C.M.P.No.14364 of 2023 in O.S.A.No.19 of 2016, nothing survives in the present appeal.

In view of the aforesaid submission, this appeal is closed. No costs. Consequently, connected miscellaneous petitions are closed.

[**S.S.S.R., J**]

[**P.D.B.,
J**]

15.11.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



WEB COPY



O.S.A.No.19 of 2016

S.S.SUNDAR, J
and
P.DHANABAL, J

gm

O.S.A.No.19 of 2016

15.11.2024
(2/2)