

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH (COURT- I) CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING  
HELD ON **01.05.2024** THROUGH PHYSICAL HEARING

**PRESENT:** HON'BLE SHRI SANJIV JAIN, MEMBER (JUDICIAL)  
HON'BLE SHRI VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

**IN THE MATTER OF** : Sengodan & 2 Ors  
-Vs-  
Cenney Hotels Pvt Ltd & 2 Ors

**MAIN PETITION NUMBER** : TCP/133/2016  
**(IA/MA) APPLICATION NUMBERS**  
IA/133(CHE)/2023; IA/258/2018

Mr. T.R. Rajagopalam, Senior Advocate

For. V. Venkatasubramanian for Petitioners

K. Maheshwaran

"

*[Signature]*  
K. Maheshwaran

Mr. Sandeep Kumar Ambalavanan

Advocate for Respondents 2@3,4.

*[Signature]*

*[Signature]*

**6 TCP/133/2016**  
**IA/133(CHE)/2023; IA/258/2018**

**ORDER**

Present: Ld. Counsel Shri. Karthich Seshadri for the Petitioners.  
Ld. Counsel Shri. Sandeep Kumar Ambalavannan for the Respondents.

This petition has been filed by S Venkatesh & Ors seeking the relief that the proceedings of the Board dated 27.01.2014 is null and void and to declare the allotment of 20765 shares and 17000 shares in favour of P Sengodan and N S Palaniammal as null and void.

Ld. Counsel for the Petitioner submits that action taken in the Board meeting has been stayed by the Company Law Board in the petition vide order dated 06.02.2014. He submits that the company is a family owned company. The Petitioner have 68% share holding but by virtue of the above allotment, the holding of the Petitioner was reduced to 49%.

He submits that as on date the Petitioners are running the affairs of the company which is a hotel in Salem and the Hotel is doing good business.

IA/133/2023 has been filed by the Petitioner to take on record the additional documents filed on 06.06.2023 and to consider the same.

IA/258/2018 has been filed by the Respondents for punishing the Petitioner for the willful disobedience of the order dated 06.02.2014.

Order dated 06.02.2014 states that *“Notwithstanding the merits of the case, he submitted that the petitioner No. 1 will not be removed as Managing Director and the Company will not conduct any General meetings in which the shareholders exercised the voting rights without permission of this Bench. Heard the learned Counsel appeared for the respective parties. The respondents may file their counter to the petition within a period of three weeks and serve copies on the other side. To protect the interest of the petitioners, I*

*hereby direct the respondents not to exercise the voting rights with respect of the shares allotted pursuant to the Board Meeting dated 27.01.2024 in respect of 37,765 shares. The petitioner No. 1 and the 2<sup>nd</sup> Respondent shall be the joint signatories to all the Bank Accounts of the Company. Keeping in view of the relationship between the petitioners and the respondents, I hereby advise the parties to be present before the Bench on 19.03.2014 at 2.30 pm for exploring the possibility of settlement.*

Ld. Counsel for the Petitioner has given a compilation of relevant documents from the type set of documents filed by the parties.

Arguments on behalf of the Petitioner partly heard.

Ld. Counsel is permitted to file the case laws highlighting the relevant Paras.

Possibility of amicable settlement also explored.

Sr. Counsel Shri. Arvindh Pandian is stated to be occupied in another matter.

List the petition for further arguments on **24.07.2024. (physical hearing at 2.30 pm)**. Parties are directed to come in person.

**Sd/-**

**(VENKATARAMAN SUBRAMANIAM)**

MEMBER (TECHNICAL)

MG

**Sd/-**

**(SANJIV JAIN)**

MEMBER (JUDICIAL)