

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
DIVISION BENCH - I, CHENNAI**

CP/55/CHE/2021

(Filed under section 248 of the Companies Act, 2013)

In the matter of Vriddhachalam Refractories Consortium Private Limited

R. Viswanathan

Shareholder of *Vriddhachalam Refractories Consortium Private Limited*
184, Aladi Road,
Vriddhachalam,
Tamil Nadu - 606 002

...Petitioner

-Vs-

Registrar of Companies

Block No.6, B Wing, 2nd Floor,
Shastri Bhavan, 26,
Haddows Road,
Chennai-600 034.

...Respondent

Order Pronounced on 19th February 2024

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SANJIV JAIN, MEMBER (JUDICIAL)

VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

For Applicant(s): AG Sathyanarayana, Advocate.

ORDER

(Heard through -VC-)

This Company Petition has been filed by one Mr. R. Viswanathan in the capacity as a Shareholder of Vriddhachalam Refractories Consortium Private Limited under Section 248(8) read with Section 272

and 271 of the Companies Act, 2013 *inter alia* seeking winding up the Company viz. Vriddhachalam Refractories Consortium Private Limited (*hereinafter referred to as 'Company'*).

2. The Company was incorporated under provisions of the Companies Act, 1956 with the Registrar of Companies, Chennai, Tamil Nadu on 05.04.2010. The Registered Office of the Company is stated to be situated at 184, Aladi Road, Vriddhachalam – 6060 002. The main object of the Company is to form a consortium of refractory units at Vriddhachalam or its suburbs and to do the business of refractory manufacturing, etc. The nominal capital of the Company is Rs.45,00,000/- (Rupees Forty Five Lakhs Only) divided into 4,50,000 equity shares of Rs.10/- each and the Issued, subscribed and paid-up capital of the Company is Rs.40,48,000/- (Rupees Forty Lakhs Forty Eight Thousand only) divided into 4,04,800 Equity shares of Rs.10/- each.

3. It is stated that the Company had received a notice u/s 248 of Companies Act 2013 from the Registrar of Companies, Chennai for non-filing of financial statements and annual returns and subsequently

the name of the Company was struck off the Company from its Register and a notice in Form STK-7 was published by the RoC, Chennai on 05.07.2017.

4. In the instant case, the name of the Company has already been struck off from the register maintained by the Registrar of Companies, Chennai. This Tribunal vide order dated 12.06.2023 has initiated winding up proceedings against the company viz., *Vriddhachalam Refractories Consortium Private Limited* and appointed **S. Vasudevan Gopu** with Reg. No. IBBI/IPA-002/IP-N00291/2017-2018/10849 as the provisional liquidator.

5. Thereafter the Provisional liquidator has filed an affidavit dated 01.01.2024 stating the progress in the winding up process.

(i) It is stated that public announcement was made in form WIN6 as per Rule 7 of the Companies Winding up Rules, 2020 in newspapers Business Standard (English) and Malai Malar (Tamil) on 05.08.2023.

(ii) It is stated that the company is not doing business and was struck off by the ROC and the company has only one immovable asset. i.e. 4.5 hectares of land located in Chinnapandarakupam Village, Vriddhachalam, Cuddalore District.

6. It has been prayed that orders may be passed for appointment of Provisional Liquidator as the Company Liquidator for the winding up proceedings of the company pursuant to the provisions of the Companies Act, 2013 and Companies Winding up Rules, 2020.

7. Considering the submissions made, we hereby appoint **S. Vasudevan Gopu** with Reg. No. IBBI/IPA-002/IP-N00291/2017-2018/10849 (the Applicant herein) as the **Company Liquidator** of *Vriddhachalam Refractories Consortium Private Limited*. The Company Liquidator shall take steps to wind up the affairs of the Company as early as possible and file an application for dissolution of the Company under Section 302 of the Companies Act, 2013.

6. List this matter for further hearing on **24.04.2024**.

-Sd-

VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)

-Sd-

SANJIV JAIN
MEMBER (JUDICIAL)

Vinita Varshini. K