NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI

(APPELLATE JURISDICTION)
Company Appeal (AT) (CH) No. 52/2026
(IA No. 772/2026)

In the matter of:

V Krishnaveni & 2 Ors. **… Appellants**

Vs

Sri Varadaraja Textiles
Pvt. Ltd. & 7 Ors. **… Respondents**

Present :

For Appellants : Mr. PH. Arvindh Pandian, Senior Advocate
For Mr. Sandeep Kumar Ambalavanan, Advocate

For Respondents : Mr. R. Vidhya Shankar, Advocate for R2 – R4, R6

ORDER
(Hybrid Mode)

16.11.2026:

Continuing his argument, Mr. R. Vidhya Shankar, the learned counsel for the respondent, submitted that 'absenting himself' must be a voluntary act and it does not include an enforced absence. In other words, where a director is otherwise capable of participating in a meeting and still does not participate, then that would fall within the expression, 'absent himself', but not when he is either prevented from participating by act of the other parties or by certain supervening acts of impossibility. Reliance was placed on the ratio in ***In re London and Northern Bank***, [[1901] 1 Ch. D. 728]. This apart, inasmuch as the present order now challenged before this Tribunal is an interim order passed in a petition filed under

Section 241 of the Companies Act, 2013, the Tribunal has absolute power under Section 242 (2) (a) of the Companies Act, 2013, to pass such interim orders which it considers appropriate for the conduct of the affairs of the company in future. He also drew certain analogies from Service Law to emphasise a point that the act of absenting oneself should be a voluntary act.

2. For the reply of the appellant, list this matter immediately after admission on **17.11.2026**. The appellant will be given 10 minutes time to address us.

[Justice N. Seshasayee]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

DD/PC/MS