



भारत सरकार  
कारपोरेट कार्य मंत्रालय  
कम्पनी पंजियक का कार्यालय,  
तमिलनाडू, कोयंबटूर  
नंबर 7 ए जी टी बिजनेस पार्क फेज II, 1ST  
फ्लोर, पीलमेडू कोयंबटूर- 6410014  
Phone - 0422 2628170, 2629640  
Fax - 0422 2628089

GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
OFFICE OF THE REGISTRAR OF COMPANIES  
TAMILNADU - COIMBATORE  
No.7 A G T BUSINESS PARK, PHASE II, 1ST FLOOR,  
PEELAMEDU, COIMBATORE - 641014  
e-Mail roc.coimbatore@mca.gov.in

Ref: ROC/CBE/A.O/12(1)/ 21224/2019

Date: 25.02.2020

Order for Penalty under Section 454 for violation of Section 12(1) of the Companies Act, 2013 read with the Companies (Adjudication of Penalties) Rules, 2014

IN THE MATTER OF M/s GRIHACHAND NIDHI LIMITED  
CIN: U65923TZ2015PLC021224

**Appointment of Adjudicating Officer:**

1. Ministry of Corporate Affairs vide its Gazette Notification No.A-42011/112/2014-Ad.II dated 24.3.2015 appointed undersigned as Adjudicating Officer in exercise of the powers conferred by Section 454 of the Companies Act, 2013 (herein after known as Act) read with Companies (Adjudication of penalties) Rules, 2014 for adjudging penalties under the provisions of this Act.

**Company:**

2. Whereas Company M/s GRIHACHAND NIDHI LIMITED (hereinafter Known as Company) is a registered company with this office under the provisions of Companies Act, 2013 having its registered address at 318-AB, NSR ROAD, SAIBABA COLONY, COIMBATORE - 641011

**Facts of the case:**

3. Whereas Adjudication Notice under Section 454 read with Section 12(1) of the Act was issued vide No.ROC/CBE/PG/12-Adj/C-21224/2019 on 06.02.2020 to the Company and its seven directors who are in default, viz., 1) M/s. KOMALA UNNIKRISHNAN, (DIN: 03163184) 2) Smt. VIJAYALEKSHMI PARAYIL NARAYANA PILLAI (DIN: 07050979) 3) Smt. VIMALA RADHAKRISHNAN NAIR (DIN: 07050981) 4) Shri. GOPALAKRISHNAN KUTTAPPAN (DIN: 07050983) 5) Shri. MURALEEDHARAN PILLAI (DIN: 07050984) 6) Shri. SATISHCHANDRAN RAMCHANDRAN PILLAI (DIN: 07063598) and 7) Smt. SREEMATHY PILLAI PARAMESHWARAN (DIN: 07063718) to show cause for non-maintenance of Registered office of the company.

5

4. Whereas Adjudication notices were issued by this office on 07.11.2019 to the Company and its directors for non-filing of Statutory Returns. Notice issued to the company was returned back with postal remark "Door locked". Thus the company was not maintaining registered office since the date of issue of Adjudication notice on 7.11.2019
5. In response to Adjudication notice issued u/s 454 read with 12(1) of the Act on 06.02.2020 to the company and its all directors, Notice issued to the company was returned back with postal remark "**Door locked**", and its four Directors, 1). Smt. Vijayalekshmi Parayil Narayana Pillai, 2). Smt. Vimala Radhakrishnan Nair and 3). Smt. Sreemathy Pillai Parameshwaran have received the notice, and the notice issued to the remaining directors were returned back to this office with postal remarks. Viz., 1). Ms. Komala Unnikrishnan—Addressee left, present address not known, 2). Shri Gopalakrishnan Kuttappan – Addressee left, 3). Shri. Muraleedharan Pillai – Addressee expired and 4). Shri. Satishchandran Ramchandran Pillai – Addressee refused. No reply has been received from the company or from its directors and the default still continues and has committed violation of Section 12(1) of Companies Act, 2013.

#### **Provisions of the Companies Act, 2013**

6. Sub-Section (1) of Section 12 of the Act provides that a company shall, on and from the fifteenth day of its incorporation and at all times thereafter, have a registered office capable of receiving and acknowledging all communications and notices as may be addressed to it.
7. Sub-section (8) of Section 12 of the Act provides that if any default is made in complying with the requirement of this section, the company and every officer who is in default shall be liable to a penalty of one thousand rupees for every day during which the default continues but not exceeding one lakh rupees.

#### **ORDER**

8. The Company and its Directors have not filed e form INC-22 and have not maintained registered office pursuant to sub-section (1) of Section 12 of the Act, thereby attracting penal provisions under Sub-Section (8) of Section 12 of the Act. The offence is of serious nature as non-maintenance of registered office by the Company has placed itself out of reach of stakeholders/regulatory Authorities and others who have interest in the company.

The object of maintenance of registered office of a company is to enable the interested public/investors/statutory agencies to access and know about the company's state of affairs.

9. Having considered the facts and circumstances of the case of default by company in non-maintaining of registered office after taking into account the facts narrated in Para 4 & 5 supra, the Adjudicating Officer do hereby impose penalty on Company and its Directors as per Table Below for violation of Section 12 of the Companies Act, 2013. The Adjudicating Officer is of the opinion that penalty is commensurate with the aforesaid default committed by the Noticee's as the company and its directors have committed a default in non-maintaining the registered office of the company and liable to pay penalty as per Table below:-

Document required to be filed	No. of days Default*	Penalty imposed on company/Directors	For the period from	First Default	Document required to be filed	No. of days Default*
INC-22 / non-maintenance of Registered office	110 days	Company	07.11.2019	-----	1000x111=1,11,000	1,00,000
		Ms. Komala Unnikrishnan	07.11.2019	-----	1000x111=1,11,000	1,00,000
		Shri Gopalakrishnan Kuttappan	07.11.2019	-----	1000x111=1,11,000	1,00,000
		Shri Muraleedharan Pillai	07.11.2019	-----	1000x111=1,11,000	1,00,000

- No. of days have been calculated from 07.11.2019 to 25.02.2020.

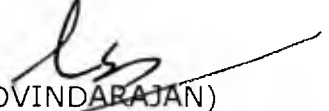
10. The company and its directors are hereby directed to rectify the default immediately from the date of receipt of copy of this order.
11. The Penalty imposed shall be paid through the Ministry of Corporate Affairs portal only.
12. Appeal, if any against this order may be filed in writing with the Regional Director, Southern Region, Ministry of Corporate Affairs, 5<sup>th</sup> floor, Shastri Bhavan, 26, Haddows Road, Chennai – 600 006 within a period of sixty days from the date of receipt of this order, in Form ADJ setting forth the grounds of appeal and shall
13. Be accompanied by a certified copy of this order (Section 454 of the Companies Act, 2013 read with the Companies (adjudicating of Penalties) Rules, 2014).
14. Your attention is also invited to Section 454(8) of the Act regarding consequences of non-payment of penalty.

*h*

15. In terms of the provisions of sub-Rule (9) of Rule 3 of the Companies (Adjudication of Penalties) Rules, 2014, a copy of this order is being sent to Company ✓/1). M/s. GRIHACHAND NIDHI LIMITED, Address 318AB, NSR Road, Saibaba Colony, Coimbatore - 641011, 2). M/s. KOMALA UNNIKRIISHNAN, Director, D\o PARAMESWARANNAIR, Mullasseril (H), Choorakode, Adoor - 691523, 3). Shri. GOPALAKRISHNAN KUTTAPPAN, Director, S/o KUTTAPPAN NAIR, Koyyattu House, Mangaram, Pandalam, Pathanamthitta - 698501 AND 4). Shri. MURALEEDHARAN PILLAI, Director, D\o GOPALAN NAIR KRISHNAPILLAI, Marukara house, Poovathoor P.O., Koipurampathanamthitta-689531.

Also to:-1. Regional Director, Southern Region, Ministry of Corporate Affairs, Chennai 2. Deputy Director, Legal Section, Ministry of Corporate Affairs, 5<sup>th</sup> Floor, 'A' Wing, Shastri Bhawan, Dr. Rajedraprasad. Road, New Delhi-110001.

Place: Coimbatore  
Dated the 25th FEB 2020

  
(C.S. GOVINDARAJAN)  
REGISTRAR OF COMPANIES  
TAMILNADU, COIMBATORE