

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2017

CORAM

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.22431 of 2017 &  
W.M.P.Nos.23558 & 23559 of 2017

Southern Polypet Private Limited  
Having its Registered office at  
40/5, Sathya Moorthy Street  
Devaraj Nagar Main Road  
Dasarathapuram, Saligramam  
Chennai - 600 093  
Now Having its Office at  
No.3 Kamarajar Road  
TASS Industrial Estate  
Ambattur, Chennai -600 098 ... Petitioner

v.

- 1 The Union of India  
Rep. by Secretary to Government  
Ministry of Corporate Affairs  
A Wing, Shastri Bhawan  
Rajendra Prasad Road, New Delhi 110 001
- 2 M/s.Eastern Plastix  
Rep. by Managing Partner  
Mr.V.Chandrasegaran  
No.98/12, SIDCO Industrial Estate  
Thirumudivakkam, Chennai 600 004
- 3 National Company Law Tribunal  
Chennai Bench  
Rep. by The Registrar  
Corporate Bhavan, 3rd Floor  
29 Rajaji Salai, Chennai 600 001 ... Respondents

Writ Petition filed under Article 226 of the  
Constitution of India praying to issue a Writ of  
Certiorari, calling for the records relating to  
C.P.No.474 (IB)/CB/ 2017 order dated 30.05.2017 passed by  
the 3rd respondent and to quash the same

For Petitioner : Mr.Goda Raghavan

For Respondent : Mr.V.Venkatesan  
SCGSC - for R1

O R D E R

Mr.V.Venkatesan, learned Senior Central Government Standing Counsel, takes notice for the 1st respondent. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the National Company Law Tribunal, Chennai Bench, dated 30.05.2017 and to quash the same.

3. If the petitioner is aggrieved over the impugned order passed by the National Company Law Tribunal, Chennai Bench, an appeal remedy is provided to him before the Appellate Authority, viz., National Company Law Appellate Tribunal, New Delhi,

4. Without exhausting the appeal remedy, the petitioner has filed the present writ petition challenging the impugned order passed by the 3rd respondent before this court.

5. Since the petitioner has not exhausted the appeal remedy, I am of the view that the writ petition filed under Article 226 of the Constitution of India cannot be entertained. Accordingly, the writ petition stands closed. However, it is open to the petitioner to challenge the impugned order dated 30.05.2017 before the National Company Law Appellate Tribunal, New Delhi, in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

सत्यमेव जयते  
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

Rj

To

1 The Secretary to Government  
Union of India  
Ministry of Corporate Affairs  
A Wing, Shastri Bhawan  
Rajendra Prasad Road, New Delhi 110 001

2 The Managing Partner  
M/s.Eastern Plastix  
Mr.V.Chandrasegaran  
No.98/12, SIDCO Industrial Estate  
Thirumudivakkam, Chennai 600 004

3 The Registrar  
National Company Law Tribunal  
Chennai Bench  
Corporate Bhavan, 3rd Floor  
29 Rajaji Salai, Chennai 600 001

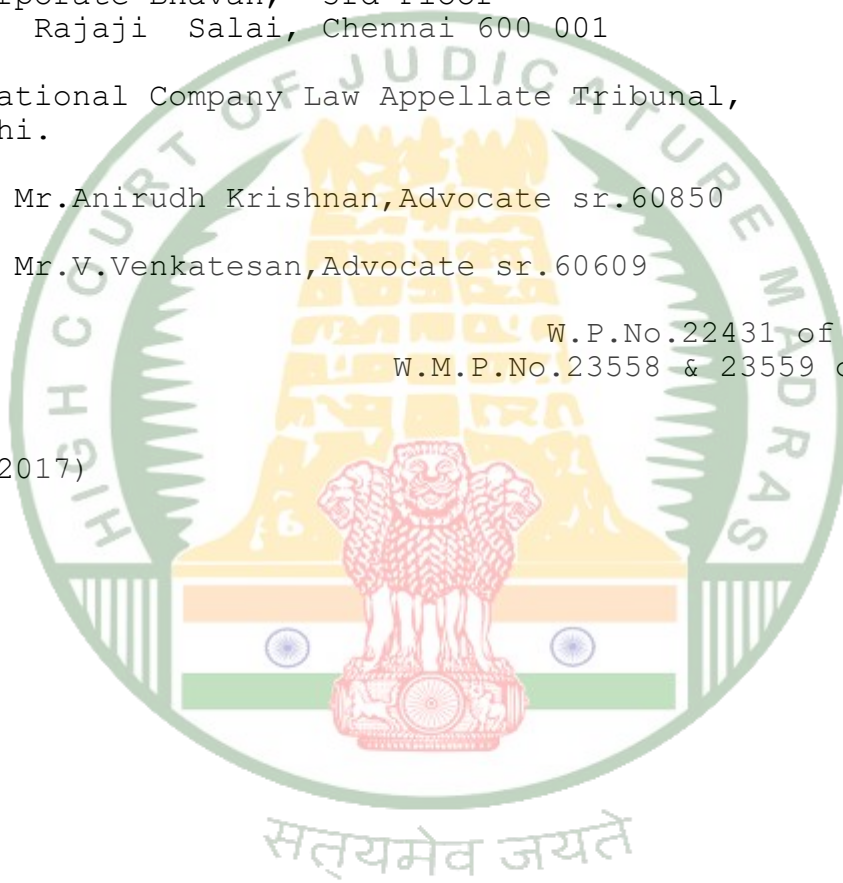
4.The National Company Law Appellate Tribunal,  
New Delhi.

+1cc to Mr.Anirudh Krishnan,Advocate sr.60850

+1cc to Mr.V.Venkatesan,Advocate sr.60609

W.P.No.22431 of 2017 &  
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sr(co)  
ss(8/9/2017)



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