

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.05.2018

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

W.P.Nos.11560 & 11561 of 2018

and

WMP Nos.13515 to 13520 of 2018

Moulana Taufeeq Islam ...Petitioner
in W.P.No.11560 of 2018

Ayisha Beevi Sheriff ...Petitioner
in W.P.No.11561 of 2018

. Vs.

1.Union of India,
Represented by its Secretary,
Ministry of Corporate Affairs,
Shastri Bhawan,
Dr.Rajendra Prasad Road,
New Delhi-110 001.

2.Registrar of Companies,
Tamilnadu,Chennai,
Block No.6, B Wing 2nd Floor,
Shastri Bhavan,
26, Haddows Road,
Chennai-600 006.

... Respondents
in both WP's

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent relating to the impugned order dated 01.11.2017 uploaded in the website of the 1st respondent in so far as the petitioner herein is concerned, quash the same as illegal, arbitrary and devoid of merit and consequently direct the respondents herein to permit petitioner to get reappointed as Director in M/s.Timescan Logistics (India) Private Limited (CIN: U60232TN2006PTC061351), an active company and in any other company without any hindrance.

For Petitioner

: Mr.Rajasekaran (in both WPs)

COMMON ORDER

The petitioners herein challenges the order passed by the Registrar of Companies on 01.11.2017. The order of the Registrar of Companies passed under Section 164(2)(a) of the Companies Act, 2013 cannot be judicially reviewed under Article 226 of the Constitution of India. In view of the alternate remedy available to them and in view of the judgment passed by the Hon'ble Supreme Court upholding the validity of the construction of NCLT. Hence, this Court finds no merit in these writ petitions.

2.Accordingly, these writ petitions stand dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Union of India,
Ministry of Corporate Affairs,
Shastri Bhawan,
Dr.Rajendra Prasad Road,
New Delhi-110 001.

- 2.Registrar of Companies,
Tamilnadu,Chennai,
Block No.6, B Wing 2nd Floor,
Shastri Bhavan,
26, Haddows Road,
Chennai-600 006.

+2cc to Mr.K.Rajasekaran, Advocate sr.no.32907

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