

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.28040 of 2008

M/s.Sri Vel Bio Diesel Energy
Private Limited,
No.15, 15th Avenue,
Nehru Salai, Ashok Nagar,
Chennai - 600 083. Petitioner

Vs

- 1.The Regional Director,
Ministry of Corporate Affairs,
Office of the Regional Director,
Southern Region, Chennai,
Shastri Bhavan, Block I, V Floor,
26, Haddows Road,
Chennai - 600 006.
- 2.M/s.Vel Bio Diesel Energy Private Limited,
No.42/3, 2nd Floor,
Dr.Narasimhan Salai, 2nd Street,
2nd Lane (North Boag Road),
T.Nagar, Chennai - 600 017. Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari to call for the records in Ref.No.4/22/M-5/2008, dated 17.07.2008 on the file of the Regional Director, Ministry of Corporate Affairs, Office of the Regional Director, Southern Region, Chennai, Shastri Bhavan, Block I, V Floor 26, Haddows Road, Chennai - 600 006 and quash the same as illegal, arbitrary and against the law.

For Petitioner : M/s.S.Ramesh Kumar

For Respondents : Mr.M.A.Muthalan for R1

Mr.J.R.K.Bhavanantham for R2

O R D E R

This Writ Petition has been filed challenging the order of the first respondent, dated 17.07.2008, passed under Section 22 of the Companies Act, 1956, directing the petitioner to change its name, considering the fact that the name of the second respondent is identical, which was incorporated earlier to the petitioner's company.

2. When the Writ Petition was taken up for hearing, the learned counsel for the second respondent would state that for non filing of the Annual Returns, the name of the petitioner-Company has been struck off in the website of the Ministry of Corporate Affairs. The learned counsel has also produced a copy taken out from the website.

3. Though sufficient opportunity was given to the learned counsel for the petitioner, he is not able to get instructions from the petitioner.

4. In view of the above facts and the submission of the learned counsel for the second respondent, this Writ Petition is dismissed as infructuous. There is no order as to costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

r n s
To

The Regional Director,
Ministry of Corporate Affairs,
Office of the Regional Director,
Southern Region, Chennai,
Shastri Bhavan, Block I, V Floor,
26, Haddows Road,
Chennai - 600 006.

+1cc to Mr.J.R.K.Bhavanantham , Advocate SR.No. 71083
+1cc to Mr.S.Ramesh kumar , Advocate SR.No. 71050

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A.SK(20/09/2019)