

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12389 of 2019

and

W.M.P.Nos.12691 and 12693 of 2019

Ratesh Raj Shanmugavel

...Petitioner

Vs.

1.Union of India

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

2.The Registrar of Companies

Tamil Nadu, Chennai
Block No.6, B Wing 2nd Floor
Shastri Bhawan 26,
Haddows Road, Chennai-600 006.

...Respondents

Writ Petition 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 insofar as the petitioner herein is concerned, quash the same as illegal, arbitrary and devoid of merit and consequentially, directing the respondents herein to permit the petitioner to continue as Director in the existing companies, to get reappointed as Director of any Company or appointed as Director in any Company without any hindrance.

For Petitioner : Mr.I.Dinesh

For Respondents: Mr.J.Madanagopal Rao
Central Government
Standing Counsel

O R D E R

Mr.J.Madanagopal Rao, learned Central Government Standing Counsel takes notice for the respondents. By consent of the

parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the impugned order dated 01.11.2017, disqualifying him as the Director of the concerned Company.

3. It is not in dispute that the issue involved in this case, is squarely covered by a decision of this Court made in a batch of similar cases in W.P.Nos.25455/2017 etc., dated 03.08.2018, which was subsequently followed by another batch of similar cases in WP.Nos.23741 & 4981 of 2018 etc., dated 12.04.2019, wherein, the impugned action of disqualification was set aside.

4. In view of the above, this Writ Petition is allowed and the impugned order is set aside. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-IV)

//True Copy//

Sub Assistant Registrar

mk

To

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

2.The Registrar of Companies
Tamil Nadu, Chennai
Block No.6, B Wing 2nd Floor
Shastri Bhawan 26,
Haddows Road, Chennai-600 006.

+1cc to Mr. I.Dinesh, Advocate, S.R.No. 40386

W.P.No.12389 of 2019

LN(CO)
GN(24/05/2019)