

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11519 of 2019

and

W.M.P.Nos.11776 & 11778 of 2019

Harris Jayakumar Jayaraj ...Petitioner

Vs.

1.The Registrar of Companies

The Office of the Registrar of Companies

5th Floor, Shastri Bhawan

No.26, Haddows Road

Chennai-600 006.

2.Union of India

Through its Secretary

Ministry of Corporate Affairs

5th Floor, A Wing,

"SHASTRI BHAVAN"

New Delhi - 110 001.

...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 get reappointed as Director of any Company or appointed as Director in any Company without any hindrance.

For Petitioner : Mr.G.Sudhakar

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(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Registrar of Companies
The Office of the Registrar of Companies
5th Floor, Shastri Bhawan
No.26, Haddows Road
Chennai-600 006.

2.The Secretary
Union of India
Ministry of Corporate Affairs
5th Floor, A Wing,
"SHASTRI BHAVAN"
New Delhi - 110 001.

+1cc to Mr.T.V.Krishnamachari, Advocate Sr.39196
+2cc to Mr.G.Sudhakar, Advocate Sr.38497

W.P.No.11519 of 2019

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srg 03/06/2019