

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.04.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11516 of 2019
and
W.M.P.No.11773 of 2019

Sushil Goenka

..Petitioner

Vs.

- 1.The Union Govt of India
Represented by its Secretary,
Ministry of Corporate Affairs
'A' Wing, Shastri Bhavan,
Rajendra Prasad Road,
New Delhi - 110 001.
- 2.The Registrar of Companies, Coimbatore
STOCK EXCHANGE BUILDING II-FLOOR
683, Trichy Road, Coimbatore
Tamil Nadu - 641 005.

...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 disqualification order dated 01.11.2017 and quashing the same as illegal and directing the respondents to reactivate the Director Identification Number [DIN] 00781138 and enable the digital signature of the petitioner herein.

For Petitioner : Mr.Ramesh Ganapathy

For Respondents: Mr.K.B.Arul

Additional Central Government
Standing Counsel

O R D E R

Mr.K.B.Arul, learned Additional 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.No.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)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Union Govt of India
Ministry of Corporate Affairs
'A' Wing, Shastri Bhavan,
Rajendra Prasad Road,
New Delhi - 110 001.
- 2.The Registrar of Companies, Coimbatore
STOCK EXCHANGE BUILDING II-FLOOR
683, Trichy Road, Coimbatore
Tamil Nadu - 641 005.

+1cc to M/s. Mission Legal Advocates , Advocate SR.No.
7021

W.P.No.11516 of 2019
A.SK(17/06/2019)

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