IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11713 of 2019

and

W.M.P.Nos.11933 and 11934 of 2019

Kim Haekyeong ..Petitioner

Vs.

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

2.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 consequently direct 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.

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For Petitioner : Mr.T.V.Suresh Kumar
For Respondents: Ms.Poonam Chopra
Central Government
Standing Counsel

O R D E R

Ms.Poonam Chopra, 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.

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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/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

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

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

+1cc to Mr. Genicon and Associates, Advocate SR.No. 40218

W.P.No.11713 of 2019

A.SK(27/05/2019)

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