

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11786 of 2019

and

W.M.P.Nos.12003 & 12005 of 2019

Senthilkumar Periyasamy

...Petitioner

Vs.

1.The Union of India
Represented by its Secretary,
Ministry of Corporate Affairs
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.

2.The Registrar of Companies,
Stock Exchange Building
II Floor, 683, Trichy Road,
Singanallur,
Coimbatore - 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 impugned order dated 08.09.2017 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 (having DIN No.03349726) to get reappointed as Director in the Company or appointed as Director in any other Company without any hindrance.

For Petitioner : Mr.Sankar Varadharajan

For Respondents: Mr.V.Athikesavan
Central Government
Standing Counsel

O R D E R

Mr.V.Athikesavan, 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 08.09.2017, 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.The Secretary,
The Union of India
Ministry of Corporate Affairs
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.

2.The Registrar of Companies,
Stock Exchange Building
II Floor, 683, Trichy Road,
Singanallur,
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W.P.No.11786 of 2019

TM(CO)
GMY(22/05/2019)