

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.04.2019
CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.Nos.12541 and 12545 of 2019
and
W.M.P.Nos.12809, 12810, 12812 and 12813 of 2019

Radhakrishnan Suresh Kumar

...Petitioner
(in WP.No.12541 of 2019)

Lakshman Kumar

...Petitioner
(in WP.No.12545 of 2019)

Vs.

1.Union of India

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

2.Registrar of Companies

Tamil Nadu, Chennai,
Block No.6, B Wing, 2nd Floor
Shastri Bhawan,
26 Haddows Road, Chennai-600 034.

...Respondents
(in both WPs)

Writ Petitions 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 orders dated 03.11.2017 uploaded in the website of the 1st respondent insofar as the petitioners herein are concerned, quash the same as illegal, arbitrary and devoid of merit and consequently, direct the respondents herein to permit the petitioners to get reappointed as Director of any Company or appointed as Director in any Company without any hindrance.

For Petitioners : Mr.M.Elayaraja
(in both Wps)

For Respondents : Mr.J.Madanagopal Rao
Central Government
Standing Counsel
(in both WPs)

C O M M O N O R D E R

Mr.J.Madanagopal Rao, learned Central Government Standing Counsel takes notice for the respondents. By consent of the parties, these writ petitions are taken up for final disposal at the admission stage itself.

2. The petitioners are aggrieved against the impugned orders dated 03.11.2017, disqualifying them as the Directors of the concerned Company.

3. It is not in dispute that the issue involved in these cases, 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, these Writ Petitions are allowed and the impugned orders are set aside. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mk

To

1.Union of India

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Ministry of Corporate Affairs
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+1cc to Mr.M.Elayaraja , Advocate SR.No. 40487

W.P.Nos.12541 and 12545 of 2019

A.SK(27/05/2019)