

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12316 of 2019

and

W.M.P.Nos.12612 & 12619 of 2019

Chenniappan Gopalakrishnan ...Petitioner

Vs.

1.Union of India
Through its Secretary
Ministry of Corporate Affairs
5th Floor, A Wing,
Shastri Bhawan,
New Delhi - 110 001.

2.The Registrar of Companies
The Office of the Registrar of Companies
683, Coimbatore Stock Exchange Building
II Floor, 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 2nd respondent insofar as the petitioner is concerned with (DIN) Director Identification Number 00643734 under Section 164 (2)(a) of the Companies Act, 2013, the First list of Disqualified Directors for the block years 2013-2014, 2014-2015 and 2015-2016 and quash the same as illegal, arbitrary and devoid of merit and may direct the respondents to activate the Director Identification Number and Digital Signature of the petitioner or get appointed or reappointed as Director of any Company without any hindrance.

For Petitioner : Mr.N.P.Vijaykumar
For Respondents: Mr.K.Thirukkumaran
Additional Central Government
Standing Counsel

O R D E R

Mr.K.Thirukkumaran, 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 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/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mk
To

1.The Secretary
Union of India
Ministry of Corporate Affairs
5th Floor, A Wing,
Shastri Bhawan,
New Delhi - 110 001.

2.The Registrar of Companies
The Office of the Registrar of Companies
683, Coimbatore Stock Exchange Building
II Floor, Trichy Road, Singanallur
Coimbatore - 641 005.

+1cc to Mr.N.P.Vijaykumar , Advocate SR.No. 39730

W.P.No.12316 of 2019

A.SK(15/05/2019)