

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12057 of 2019

and

W.M.P.Nos.12332 & 12333 of 2019

Janardhanan Mahalingam

...Petitioner

Vs.

1.Union of India

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

2.The 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 2<sup>nd</sup> 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, (DIN No.02183225), quash the same as illegal, arbitrary and devoid of merit and consequentially, directing the 2nd respondent herein to permit the petitioner to get reappointed as Director of any Company or appointed as Director of struck off Company without any hindrance.

For Petitioner : Mr.A.R.Palanisaamy

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 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/-  
Asst. Registrar

//True Copy//

Sub Asst. Registrar

To

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

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

+1 CC to Mr. Mr.A.R.Palanisaamy Advocate SR.NO.40570

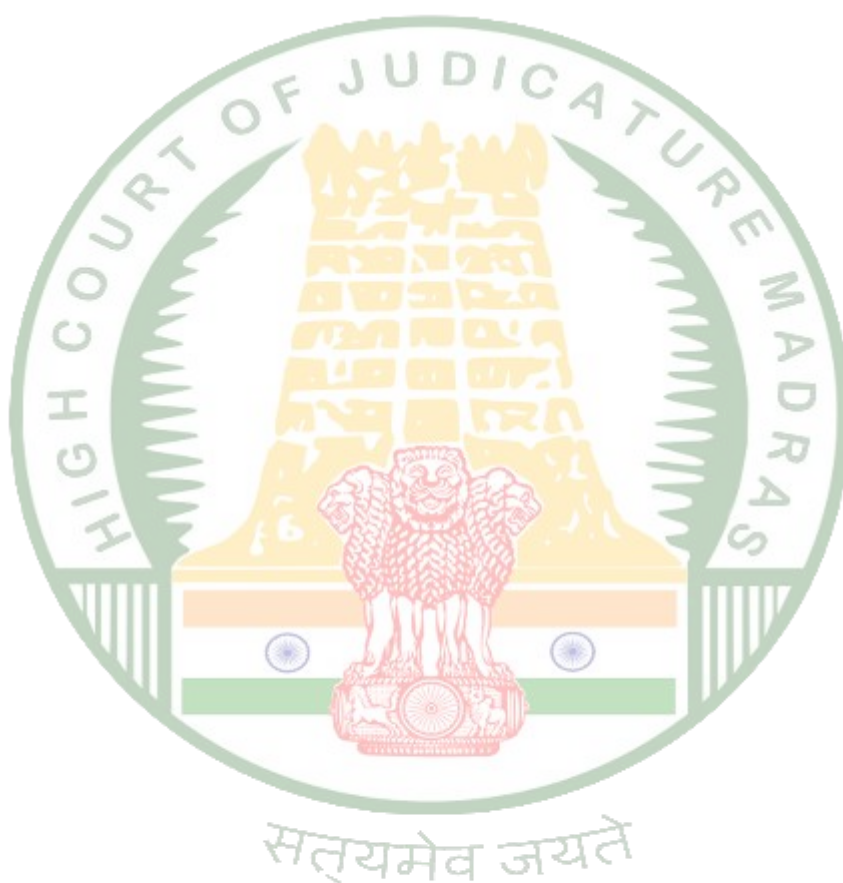
सत्यमेव जयते

W.P.No.12057 of 2019

CO (VGI)  
VC (03/06/2019)

WEB COPY

25.04.2019



WEB COPY