

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.12326 & 12331 of 2019

and

W.M.P.Nos.12620, 12622, 12627 & 12628 of 2019

Yogesh Hareesh Bheda

...Petitioner
(in WP.No.12326 of 2019)

Sotheeswaran Velauthapillai

...Petitioner
(in WP.No.12331 of 2019)

Vs.

1.The 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-600 034.

...Respondents
(in all 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 01.11.2017 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 consequentially, directing the respondents herein to permit the petitioners to get reappointed as Directors of any Company or appointed as Directors in any company without any bar or hindrance.

For Petitioner : Mr.C.Sakthimanikandan
(in all WPs)

For Respondents: Mr.K.K.Thirukkumaran
Additional Central Government
Standing Counsel
(in all WPs)

C O M M O N O R D E R

Mr.K.K.Thirukkumaran, learned Additional 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 01.11.2017, 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/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The 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-600 034

+2cc to Mr. C.Sakthi Manikandan, Advocate, S.R.No. 39756 & 39757

W.P.Nos.12326 & 12331 of 2019

PA(CO)
GN(22/05/2019)