

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.12317 & 12327 of 2019

and

W.M.P.Nos.12611, 12616, 12621 & 12623 of 2019

Halagowder Vasudevan

...Petitioner
(in both W.Ps.)

Vs.

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

2.The Registrar of Companies
Stock Exchange Building II-Floor
683, Trichy Road, Coimbatore
Tamil Nadu - 641 005

...Respondents
(in both WPs)

Writ Petition in W.P.No.12317 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the notification issued by the 2nd respondent and which is published in the website of the 1st respondent on 11.09.2017 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 to get reappointed as Director of any Company or be appointed as or continue to be Director in any company without any hindrance.

Writ Petition in W.P.No.12327 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the notification issued by the 2nd respondent deactivating the DIN number of the petitioner, quash the same as illegal, arbitrary and devoid of merit and consequentially direct the respondents herein to reactivate the DIN number of the petitioner.

For Petitioner : Mr.Thriyambak J Kannan
(in both WPs)
For Respondents: Mr.K.K.Thirukkumaran
Additional Central Government
Standing Counsel
(in both 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 petitioner is aggrieved against the impugned order dated 11.09.2017, disqualifying him 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 order is set aside. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Secretary, Union of India
Ministry of Corporate Affairs
"A Wing", Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.

2.The Registrar of Companies
Stock Exchange Building II-Floor
683, Trichy Road, Coimbatore
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+1 cc to Mr.Thriyambak J Kannan, Advocate, Sr.No. 43360

W.P.Nos.12317 & 12327 of 2019

EV(CO)
CSL/06.06.2019



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