

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2019

CORAM :

The Hon'ble Mr.AMRESHWAR PRATAP SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.No.22813 of 2018

G.Vasudevan

..Petitioner

-vs-

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

2.Union of India,
rep.by its Secretary,
Ministry of Law and Justice,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi-110 001

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration to declare the 'Proviso' in Section 167(1)(a) of the Companies Act 2013, as inserted vide the Companies (Amendment) Act 2017, as ultra vires the Articles 14, 19(1)(g) of the Constitution of India and declare illegal and null and void.

For Petitioner : Mr.R.Rajesh

For Respondents Mr.G.Rajagopalan, Additional
Solicitor General, assisted by
Mr.T.L.Thirumalaisamy, C.G.S.C.

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

After hearing Mr.R.Rajesh, the learned counsel for the petitioner and Mr.G.Rajagopalan, the learned Additional Solicitor General, assisted by Mr.T.L.Thirumalaisamy, the learned Central Government Standing Counsel, we find that this

Writ Petition has been drafted in the shape of a Public Interest Litigation. Learned counsel for the petitioner prays that he may be permitted to withdraw the writ petition, without prejudice to the rights of any person aggrieved or otherwise entitled to file such a petition relating to the vires of the proviso, which has been questioned herein.

2. The Writ Petition is, accordingly, consigned to records with such liberty. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

msk

To

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

2.The Secretary,
Union of India,
Ministry of Law and Justice,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi-110 001

+2cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No. 75867

VSN II(CO)
GN(04/12/2019)

सत्यमेव जयते

W.P.No.22813 of 2018

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