

HONOURABLE JUSTICE G. SRI DEVI

I.A.No.1 OF 2019

IN/AND

WRIT PETITION No. 44178 of 2018

COMMON ORDER:

The Writ Petition is filed seeking to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus directing the State of Telangana and the State of Andhra Pradesh, to transfer all the criminal cases registered within its jurisdiction against the petitioners herein for any offence to the 3rd respondent (Serious Fraud Investigation Office) as the 3rd respondent is the competent authority to conduct investigation and inquiry in respect of any allegations against the 2nd petitioner company as mandated under Sections 212 and 221 of the Indian Companies Act, 2013.

During pendency of this writ petition, the petitioners herein have also filed two separate writ petitions i.e., W.P.Nos.5449 and 7950 of 2019 to declare that the registration of F.I.Rs. against the petitioners as illegal and arbitrary, as the police have no authority to register the F.I.R.s in view of the provisions of Section 212 (2) of the Companies Act, 2013 and also sought directions to release the 1st petitioner herein and to forward the complaints lodged by some of the investors to the

Serious Fraud Investigation Office, in terms of the Companies Act, 2013. The issue raised in this Writ Petition and the aforesaid writ petitions is similar in nature. Today i.e., 23.12.2019 the said Writ Petitions have been disposed of by a common order with some directions.

Apart from that, during the course of arguments, the petitioners filed I.A.No.1 of 2019 seeking to permit them to withdraw the Writ Petition No.44178 of 2018 as well as the relief sought for against respondent Nos.9 and 10 in the Writ Petition, with liberty to take steps against respondent Nos.9 and 10 in an appropriate proceedings, if necessary, before the High Court of Andhra Pradesh at Amaravathi.

Permission as sought for is accorded.

Accordingly, I.A.No.1 of 2019 is ordered and the Writ Petition No.44178 of 2018 is dismissed as withdrawn, with liberty to the petitioners to avail the remedies that are available under law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE G.SRI DEVI

23.12.2019
gkv/Gsn



