

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5811 of 2020

and

W.M.P.Nos.6807 & 6808 of 2020

Beta Engineering Constructions Limited
Rep. by its Managing Director Mr.Abid Ali Junaid
No.34, 6th Floor, Crown Court
Cathedral Road
Chenani-6.

....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 Stock Exchange Building
II Floor, 683, Trichy Road,
Singanallur, Coimbatore - 641 005.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the notification of 2nd respondent dated 08.09.2017 and 01.11.2017 disqualifying the petitioner for the period from 01.11.2017 to 31.10.2022 and quash the same.

For Petitioner : Mr.A.Mohan

For Respondents: Mr.P.Punniyakoti

Central Government Standing Counsel

O R D E R

Mr.P.Punniyakoti, learned 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 orders dated 08.09.017 and 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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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 Stock Exchange Building
II Floor, 683, Trichy Road,
Singanallur, Coimbatore - 641 005

+1cc to Mr.A.Mohan, Advocate, S.R.No.20441

+1cc to Mr.P.Punniyakotti, Advocate, S.R.No.20715

PP(CO)

rli(20/05/2020)

सत्यमेव जयते

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