

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5360 of 2020

and

W.M.P.Nos.6296 & 6297 of 2020

Manikandan Shanthi

...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. Registrar of Companies,
Tamil Nadu,
Coimbatore,
No.7, AGT Business Park,
Phase II, I Floor,
Civil Aerodrome Post,
Peelamedu,
Coimbatore - 641 014.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for records of the 2nd respondent relating to the impugned order dated 01.11.2017 uploaded in the website of the 1st respondent insofar as the petitioner is concerned with (DIN) Director Identification Number: 02080833, Under Sec.164(2)(a) of the Companies Act 2013, and quash the same as illegal, arbitrary and devoid of merits and consequently, direct the respondents to activate the Director Identification Number and Digital Signature of the petitioner or get appointed or reappointed as Director of any Company without any hindrance.

For Petitioner : Mr.M.Velu

For Respondents : Mr.J.Madana Gopal Rao,
Standing Counsel

O R D E R

Mr.J.Madana Gopal Rao, learned 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 order dated 01.11.2017, disqualifying her 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.

Sd/-

Assistant Registrar

// True Copy//

Sub Assistant Registrar

vsi

To

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

2. Registrar of Companies,
Chennai, Tamil Nadu,
Coimbatore, No.7, AGT Business Park,
Phase II, I Floor, Civil Aerodrome Post,
Peelamedu, Coimbatore - 641 014.

+2ccs to M/s P.Stella Mary sr 19008

W.P.No.5360 of 2020

VGI (CO)
GS (20/05/2020)