

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6049 of 2020

and

W.M.P.Nos.7097 & 7098 of 2020

Ritesh Harish Ezchiwala
S/o.Late Harish Elchiwala

...Petitioner

Vs.

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

2.The Registrar of Companies
Block No.6, B Wing 2nd Floor
Shastri Bhavan, 26, Haddows Road,
Chennai-600 006.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent pertaining to the impugned order dated 01.11.2017 uploaded in the website of the 1st respondent and quash the same as being illegal, arbitrary and devoid of merits and consequentially, direct both the respondents herein to permit the petitioner to be reappointed as Director of any company or appointed as Director in any company without any hindrance.

For Petitioner : Mr.U.Devasenathipathi
for M/s.Nathan and Associates
For Respondents : Mr.J.Madanagopal Rao
Central Government Standing Counsel

O R D E R

Mr.J.Madanagaopal Rao, 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 order

dated 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.

Sd/-

Assistant Registrar(CS-)

// True Copy //

Sub Assistant Registrar

mk

To

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

2.The Registrar of Companies
Block No.6, B Wing 2nd Floor
Shastri Bhavan, 26, Haddows Road,
Chennai-600 006.

+1cc to M/s Nathan and Associates, Advocate sr 21340

W.P.No.6049 of 2020

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

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