IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6346 of 2020
and
W.M.P.Nos.7480 & 7481 of 2020

Eliazer Elwin Stelzer
S/o.Eliazer Ponnumuthu ...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
Tamil Nadu, Chennai
Block No.6, B Wing 2nd Floor
Haddows Road, Nungambakkam,
Chennai-600 034. ...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 relating to the impugned order dated 03.11.2017 under Item No.6910 uploaded in the website of the 1st respondent insofar as the petitioner herein is concerned with Director Identification Number 03217452, for the period from 01.11.2016 to 31.10.2021, quash the same as being illegal, arbitrary and devoid of merits and consequentially, direct the respondents herein to permit the petitioner to continue as a Director or get appointed or reappointed as Director of any Company without any hindrance.

For Petitioner : Mr.M.Narayanaswamy

For Respondents : Mr.S.V.Jayakumar
Central Government Standing Counsel

O R D E R

Mr.S.V.Jayakumar, 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

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the admission stage itself.

2. The petitioner is aggrieved against the impugned order dated 03.11.2017, 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

//True Copy//

Sub Assistant Registrar

mk

To

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
Tamil Nadu, Chennai
Block No.6, B Wing 2nd Floor
Haddows Road, Nungambakkam,
Chennai-600 034.

+1cc to Mr.M.Narayana Swamy, Advocate, S.R.No.22374

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KS(CO)
RN(26/06/2020)

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