

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.10763 of 2020 and
W.M.P. Nos.13076 & 13083 of 2020

Sakthivel

... Petitioner

Vs

1. Union of India
Represented by its Secretary
Ministry of Corporate Affairs
"Shastri Bhavan", Dr.Rajendra Prasad Road
New Delhi.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified mandamus, calling for the records of the 2nd respondent relating to the impugned order dated 01.11.2017 which is uploaded in the website of the 1st respondent insofar as the petitioner herein is concerned, quash the same as illegal, arbitrary and devoid of merit and consequently direct the respondents herein to permit petitioner to get reappointed as Director of any company or appointed as Director in any company without any bar.

For Petitioner : M/s.Genicon and Associates

For RR1 & R2 : Mr.Madhanagopal Rao,
CGSC

ORDER

Mr.Madhanagopal 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

//True Copy//

Sub Assistant Registrar

To

1. Union of India
Represented by its Secretary
Ministry of Corporate Affairs
"Shastri Bhavan", Dr.Rajendra Prasad Road
New Delhi.
2. The Registrar of Companies
Tamil Nadu Chennai
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+1cc to Mr.Genicon & Associates in SR no.27556

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EV (CO)
RV (11/09/2020)