

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.11255 of 2020 and
W.M.P. Nos.13723 & 13724 of 2020

Thiagarajan Annamalai

... Petitioner

Vs

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

2. Registrar of Companies
Pondicherry
No.7, Karuvadikuppam Main Road
Senthamarai Nagar
Puducherry - 605 003

... 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 04.09.2017 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 in any company without any hindrance.

For Petitioner : Mr.J.Prasanna Kumar

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 04.09.2017, 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 the Ministry of Corporate Affairs
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New Delhi - 110 001

2.Registrar of Companies

Pondicherry
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+1cc to Mr.J.Prasanna Kumar, Advocate in SR no.27695

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EV (CO)

RV (11/09/2020)

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