

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.Nos.11453 & 11459 of 2020 and
W.M.P. Nos.13973, 13975, 13992 & 13993 of 2020

Priyadarshini Rajeeniraj

... Petitioner in
W.P. No.11453/2020

Sidharthan Sambandam

... Petitioner in
W.P. No.11459/2020

Vs

1. Union of India

Represented by its Secretary
Ministry of Corporate Affairs
Shastri Bhavan, Dr.Rajendra Prasad Road
New Delhi - 110 001.

2. The Registrar of Companies

Block No.6, B Wing 2nd Floor
Shastri Bhawan, 26, Haddows Road
Chennai - 600 006

...Respondents in both
WPs

Prayer in W.P. No.11453 of 2020: 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 uploaded in the website of the 1st respondent insofar as the petitioner is concerned with (DIN) Director Identification Number:02534365 under Section 164(2) of the Companies Act, 2013 First list for the block years 2013-14, 2014-15, 2015-16, quash the same as illegal, arbitrary and devoid of merit and may direct the respondents to activate the Director Identification Number and Digital Signature of the petitioner or get appointed or re-appointed as director of any company without any hindrance.

Prayer in W.P. No.11459 of 2020: 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 uploaded in the website of the 1st respondent insofar as the

petitioner is concerned with (DIN) Director Identification Number:02534408 under Section 164(2)(a) of the Companies Act, 2013 First list for the block years 2013-14, 2014-15, 2015-16, quash the same as illegal, arbitrary and devoid of merit and may direct the respondents to activate the Director Identification Number and Digital Signature of the petitioner or get appointed or re-appointed as director of any company without any hindrance.

For Petitioner in : Ms.P.Stella Mary
both WPs

For RR1 & R2 in : Mr.Madhanagopal Rao,
both WPs CGSC

COMMON ORDER

Mr.Madhanagopal Rao, learned Central Government Standing Counsel takes notice for the respondents. By consent of the parties, these writ petitions are taken up for final disposal at the admission stage itself.

2. The petitioners are aggrieved against the impugned order dated 01.11.2017, disqualifying them as Directors of the concerned Company.

3. It is not in dispute that the issue involved in these writ petitions, 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, these Writ Petitions are allowed and the impugned order is set aside. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary
Union of India
Ministry of Corporate Affairs
Shastri Bhavan, Dr.Rajendra Prasad Road
New Delhi - 110 001.
2. The Registrar of Companies
Block No.6, B Wing 2nd Floor
Shastri Bhawan, 26, Haddows Road
Chennai - 600 006.

+4cc to Mr.Stellamary, Advocate, Sr.No.28720 & 28719

W.P.Nos.11453 & 11459 of 2020
and W.M.P. Nos.13973, 13975,
13992 & 13993 of 2020

vg ii (co)
rr ii (01/10/2020)