

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.Nos.13778 & 13782 of 2020 and
W.M.P.Nos.17122, 17124, 17130 & 17131 of 2020
(Heard through VC)

Padmanabhan Shanmugam Petitioner in
W.P. No.13778/2020

Madhan Kumar Petitioner in
W.P. No.13782/2020

Vs

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

2.The Registrar of Companies,
Tamil Nadu, Chennai,
Block No.6, B Wing 2nd Floor,
Shastri Bhawan, 26, Haddows Road
Chennai - 600 034.

..Respondents in both
WPs

Prayer in W.P. No.13778 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 I am concerned (DIN.01908109), quash the same as illegal, arbitrary and devoid of merit and consequentially direct the 2nd respondent herein to permit petitioner to get reappointed as Director of struck off company without any hindrance.

Prayer in W.P. No.13782 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 I am concerned (DIN.02815597), quash the same as illegal, arbitrary and devoid of merit and consequentially direct the 2nd respondent herein to permit petitioner to get reappointed as Director of struck off company without any hindrance.

For Petitioner in: Mr.T.Annaamalai
both WPs

For Respondents : Mr.K.Subburanga Bharathi,
in both WPs CGSC

COMMON ORDER

Mr.Subburanga Bharathi, 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

rsi/asr

To

1.Union of India
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and W.M.P.Nos.17122, 17124, 17130 &
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PP(CO)
CB(06/11/2020)



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