

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14209 of 2020 and
W.M.P.Nos.17680 & 17683 of 2020

Subbiah Arunachalaraja Subarajah ... Petitioner

Vs

- 1.Union of India,
Represented by its Secretary,
Ministry of Corporate Affairs,
Shastri Bhawan, Dr.Rajendra Prasad Road,
New Delhi - 110 001.
- 2.The Registrar of Companies,
Shastri Bhavan,
II Floor, 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 uploaded in the website of the 1st respondent insofar as the petitioner is concerned and quash the same as illegal, arbitrary and devoid of merits and consequentially direct the respondents herein to permit the petitioner (having DIN No.3626410, Serial No.13577) to get reappointed as Director in the Company or appointed in any other Company without any hindrance.

For Petitioner : Mr.V.Regunathan
For Respondents : Mr.K.Subburanga Bharathi
CGSC

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ORDER

This writ petition is heard through Video-Conferencing, on account of the COVID-19 pandemic situation.

2. Mr.K.Subburanga Bharathi, learned Central Government Standing Counsel takes notice for the respondents. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner is aggrieved against the impugned order dated 01.11.2017, disqualifying him as Director of the concerned Company.

4. It is not in dispute that the issue involved in this writ petition, 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.

5. In view of the above, this Writ Petition is allowed and the impugned order is set aside. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

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

2.The Registrar of Companies,
Shastri Bhavan,
II Floor, Haddows Road,
Chennai - 600 006.

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W.P.No.14209 of 2020
&

सत्यमेव जयते
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