

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14543 of 2020

and

W.M.P.Nos.18039 & 18040 of 2020

J.Seetharaman ... Petitioner

Vs

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

2.The Registrar of Companies,
Puducherry,
No.7, 2nd Floor,
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 passed by the 2nd respondent insofar as the petitioner herein is concerned, quash the same as illegal, arbitrary and consequentially direct the respondents herein to allow the petitioner to be appointed or reappointed as a Director of any Company.

For Petitioner : Mr.Arun Karthik Mohan

For Respondents : Mr.K.Gangadharan
CGSC

ORDER

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

2. Mr.K.Gangadharan, 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.

dated 04.09.2017, 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-VII)

//True Copy//

Sub Assistant Registrar

srn/asr

To

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

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

+1cc to Mr.Arun Karthik Mohan, Advocate, S.R.No. 33434

WEB COPY

W.P.No.14543 of 2020 and
W.M.P.Nos.18039 & 18040 of 2020

CA(CO)
GN(18/11/2020)