

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14937 of 2020 and
W.M.P.Nos.18570, 18573 and 18574 of 2020
(Heard through VC)

1. Ashok Inderchand
2. Goutam Chand Jain

...Petitioners

Vs

1. The 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 - 600 034.

...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 03.11.2017 uploaded in the website of the 1st respondent insofar as the petitioners herein are concerned, quash the same as illegal, arbitrary and devoid of merit and consequentially direct the respondents herein to permit the 1st petitioner (having DIN No.02421966) and 2nd petitioner (having DIN No.0827277) to get re-appointed as Director in the Company or appointed in any other Company without any hindrance.

For Petitioners : Ms.G.Savitha
For Respondents : Ms.M.P.Jaisha
CGSC

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O R D E R

Ms.M.P.Jaisha, learned Central Government Standing Counsel takes notice for the respondents.

2. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioners are aggrieved against the impugned order dated 03.11.2017, disqualifying them as Directors 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

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Ministry of Corporate Affairs,
Shastri Bhavan, Dr.Rajendra Prasad Road,
New Delhi - 110 001.
2. The Registrar of Companies,
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NMI (CO)
RV(10/11/2020)

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