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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.4660 of 2020

E.Prem Kumar

... Petitioner

vs.

1. The Union of India
Rep. by the Secretary to Government of India,
Ministry of Corporate Affairs,
Government of India,
5th Floor, 'A' Wing,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.
2. The Regional Director,
Ministry of Corporate Affairs,
Shastri Bhavan,
No.26, Haddows Road,
Chennai - 600 006.
3. The Registrar of Companies,
Tamil Nadu, Andaman & Nicobar Islands,
Shastri Bhavan,
No.26, Haddows Road,
Chennai - 600 006.
4. The Central Vigilance Commissioner,
Satarkata Bhavan, "A" Block,
GPO Complex, INA,
New Delhi - 110 023.
5. Union of India,
Rep. by the Secretary,
Ministry of Home Affairs,
Government of India, North Block,
New Delhi - 110 001.
6. The Chief Commissioner of Income Tax,
Department of Income Tax,
121, M.G.Road,
Nungambakkam,
Chennai - 600 034.



7. The Church of South India Trust Association,
No.5, Whites Road Royapettah,
Chennai - 600 014.

... Respondents

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Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents 1 to 6 to consider and pass necessary orders on his representation dated 05.07.2019 within a stipulated time.

For Petitioner	:	Mr.R.Sreedhar
For Respondent 1 to 5	:	Mr.Venkatasamy Babu Special Government Pleader
For 6 th Respondent	:	M/s.Hema Muralikrishnan -N/A
For 7 th Respondent	:	Mr.V.Prakash, Senior Counsel Mr.Adrian D. Rozario

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to Respondents 1 to 6 to consider and pass necessary orders on his representation dated 05.07.2019, within a stipulated time.

2. According to the Petitioner, he is a permanent member of Church of South India (CSI), Perundurai, Coimbatore Diocese and the properties of the said Diocese are managed by CSITA, a non-profit Company incorporated under the Companies Act, 1913. In other words, CSITA is a Public Charitable Trust. It is stated by the Petitioner that, several mismanagements are taking place in the administration of the 7th Respondent Company by several persons and that, one Thomas Oomen, the purported Chairman of CSITA, has been disqualified to act as a Director with effect from 01.11.2017.

3. It is further stated by the Petitioner that, Respondents 1 to 6 are aware that no person could act for the 7th Respondent/CSITA as Director or otherwise. According to the Petitioner, the only remedial action is for the Central Government to intervene in the matter and do justice to the public. Hence, in that regard, the Petitioner made a detailed representation dated 05.07.2019 to Respondents 1 to 6 to take action against the 7th Respondent. As the same is pending consideration, having no other alternative, the Petitioner is before this Court with the above Writ Petition.



4. Learned counsel for the Petitioner submitted that, based on the Petitioner's representation, the Union of India has already initiated action against the 7th Respondent and the aggrieved party has filed a Writ Petition and the same is pending before this Court.

5. Heard the learned counsel for the parties and perused the material documents available on record.

6. As the Petitioner's representation seeking to take necessary action against the 7th Respondent, has been considered and Serious Fraud Investigation is being processed against the 7th Respondent and as the Writ Petition filed by the aggrieved party is pending, no further orders are necessary in this Writ Petition.

Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

(skt/aeb)

To:

1. The Secretary
Union of India
Ministry of Corporate Affairs,
Government of India, 5th Floor, 'A' Wing,
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7. The Church of South India Trust Association,
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+1cc to Mr.R.Sreedhar, Advocate SR.No.58273

+1cc to Mr.Venkatasamy Babu, Advocate SR.No.58268

W.P.No.4660 of 2020

KSM(CO)
GMY (25/01/2022)