



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P. No. 13483 of 2021

and

WMP No.14352 of 2021

Rakhi Deepak
residing at 1103, The Metro Zone
Jawaharlal Nehru Salai, Anna Nagar,
Chennai , Tamil Nadu 600 040.

... Petitioner

Versus

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

.. Respondent

Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondent to accept the resignation of the petitioner dated 01.06.2010 and subsequent representation dated 25.10.2012 and remove the petitioner's name as Director of ACE Supply Chain Solutions Private Limited in the Company master data within a time frame to be fixed by this Court.

For Petitioner : Mr. Richardson Wilson

For Respondent : Mr. R. Sridharan, CGSC

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondent to accept the resignation of the petitioner and remove his name as Director of ACE Supply Chain Solutions Private Limited (in short ACE Supply|) in the Company master data within a time to be stipulated by this Court.



2. According to the petitioner, he was a Director of the company namely ACE Concrete Private limited (in short ACE Concrete) at the time of its incorporation in the year 2005, which involved in the business of manufacturing ready mix concrete for construction purpose. In 2008, a company by name ACE Supply Chain Solution Private Limited (in short ACE Supply) was registered under the Companies Act as a wholly owned subsidiary company under ACE Concrete, whose main purpose is to acquire blue metal for ACE Concrete. Both the aforesaid companies have been taken over by AKR Holdings Private Limited with effect from 26.5.2010 pursuant to sale of petitioner's shares. The petitioner therefore submitted his resignation letter dated 01.06.2010 to the Board and he has been removed from the Board of Directors of ACE Concrete, but in respect of ACE Supply, the petitioner's name has not been still removed from the records of ACE Supply. Having regard to the same, the petitioner made a representation on 25.10.2012 to the Directors of ACE, Supply.

3. It is the grievance of the petitioner that since the name of the petitioner is still reflecting as a Director in the Ministry of Corporate affairs, he was unable to join another company as a Director and getting loans for other business activities. Finding no response from the side of the respondents, the petitioner has preferred the present writ petition.

4. Heard both sides.

5. The learned counsel for the petitioner, pointing out the representation given by the petitioner during the the year 2012, seeks liberty to approach the respondent with a fresh representation.

6. In such a view of the matter, the Writ Petition stands disposed of granting liberty to the petitioner to make a fresh representation to the respondent within a period of two weeks from the date of receipt of a copy of this order. On such representation being made, the respondent shall consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

// True Copy//

Sub Assistant Registrar

msr/rsh



To:

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

+lcc to M/s.P.Wilson Associates, Advocate, S.R.No.32070

WP No. 13483 of 2021

SS(CO)
SU(27/08/2021)