



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2022

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.No.5361 of 2011

Mukesh Kumar Parekh

... Petitioner

Vs.

1. M/s.Securities & Exchange Board of India,
Plot No.C4-A, 'G' Block, Bandra Kurla Complex, Bandra (East),
Mumbai-400 051
2. Bombay Stock Exchange,
complaint against company Cell
Phiroze Jeejeebhoy Towers
Dalai Street, Mumbai-400 001
3. Madras Stock Exchange,
rep. by its General Manager,
No.30, Second Line Beach, Chennai-600 001.
4. Registrar of Companies,
Ministry of Corporate Affairs,
Block No.6, B Wing, 2nd Floor, Shastri Bhawan,
No.26, Haddows Road, Chennai-600 034.
5. Tatia Global Venture Limited
formerly Tatia Intimate exports Limited,
Rep. by its Chairman Pannalal Tatia
Aroshree Towers,
No.19, 3rd Floor, Rutland gate, 4th street,
Nungambakkam, Chennai-600 006.
6. Ashram Online.com Limited
formerly know Tatia Skyline & Health Farms Limited
rep. by its Chairman Pannalal Tatia
Having its registered office at No.81-B, 2nd Main Road,
Ambattur Industrial Estate, Chennai-600 058.
7. Kreon financial services
formerly know as Tatia Financial limited
rep.by its Chairman Pannalal Tatia
Having its registered office at No.81-B, 2nd Main Road,
Ambattur Industrial Estate, Chennai-600 058.

...Respondents



Prayer:

Writ petition filed under Article 226 of Constitution of India praying to issue a writ of mandamus, directing the 1st to 4th respondents to consider the petitioner's representation and notices sent to them and take appropriate action and further direct the respondents 1 to 4 to investigate into the affair of the respondents 5 to 7 companies and take necessary action against them.

For Petitioner : Mr.Ramesh Kumar Chopra

For R1 : Mr.D.Shivakumar

For R5 & R7 : M/s.Saranya
for M/s.Aiyan & thomas

For R6 : Mr.T.Rajaji

O R D E R

The petitioner made certain allegations against the 5th and 7th respondents. According to the petitioner, he is an investor in the Company through the public issue invited by the fifth respondent. Thereafter, the respondents 5 to 6 induced many similarly placed persons like the writ petitioner to invest in the Company. After maturity, when the investors asked for their share, it was found that the respondents 5 & 7 had not traded the shares and hence, investors have lost their money. Therefore, they made a representation to the Company followed by remainders, but the fourth respondent company was not responding. Aggrieved over the mischief committed by the respondents 5 & 7, the writ petitioner has filed the above writ petition.

2.When the matter is taken up for hearing, the learned counsel appearing for the writ petitioner would produce the orders of the first respondent in WTM/AB/IVD-ID 19/10/2021-22 and contended that the first respondent himself restrained the fifth respondent from accessing the securities market and further prohibited from buying, selling or otherwise dealing in securities, directly or indirectly, or being associated with the securities market in any manner, whatsoever, for a period of six months. But even after passing of this order the respondents have not considered the representation of the petitioner and hence, the petitioner sought for early disposal of the representation.

3.Considering the limited prayer sought for in this writ petition and the orders passed by the first respondent dated



28.05.2021, a direction is given to the respondent Nos. 1 to 4, to dispose of the representation of the petitioner after affording opportunity to all the parties within a period of eight weeks from the date of receipt of a copy of this order.

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4. With the above direction, this writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

Dua

To

1. The Registrar of Companies,
Ministry of Corporate Affairs,
Block No.6, B Wing, 2nd Floor, Shastri Bhawan,
No.26, Haddows Road,
Chennai-600 034.

+1cc to Mr.P.Solomon francis, Advocate, S.R.No.13226

+1cc to M/s.Aiyan & thomas, Advocate, S.R.No.13566

W.P.No.5361 of 2011

(CO)

CT 21/03/2022