



WEB COPY



W.P.No.25794 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.25794 of 2022 and
W.M.P.No.24856 of 2022

R.Venkat Narayanan

... Petitioner

Vs

1.The Registrar of Companies,
Ministry of Corporate Affairs,
Government of India,
No.26, II nd Floor, Shastri Bhavan,
Haddows Road, Chennai – 600 006.

2.Adambakkam Janopakara Saswatha Nidhi Ltd.
Represented by its Secretary Mr.N.Venkatesh
No.107/62, Pudupet Street, Alandur,
Chennai – 600 016.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to conduct a detailed enquiry and pass orders with respect to the annual general meeting held on 22.09.2021 in approving the balance sheet for the year 2020-2021 by considering the petitioner's representations dated 21.09.2021, 22.09.2021, 09.03.2022, 11.03.2022, 21.05.2022, 04.07.2022, 05.08.2022.

For Petitioner : Mr.S.R.Varun Karthik

For Respondents : Mr.R.Sidharth
Central Govt. Standing Counsel for R1



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ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to conduct a detailed enquiry and pass orders with respect to the Annual General Meeting held on 22.09.2021 in approving the balance sheet for the year 2020-2021 by considering the petitioner's representations dated 21.09.2021, 22.09.2021, 09.03.2022, 11.03.2022, 21.05.2022, 04.07.2022, 05.08.2022.

2. The petitioner is claiming that he is a shareholder of the 2nd respondent Company and for the year 2021 during the Covid period, according to the petitioner, the Annual General Meeting was conducted, therefore the petitioner and majority of the shareholders could not appear in the Annual General Meeting and therefore, in this regard for conducting an enquiry by the 1st respondent regarding the Annual General Meeting conducted on 22.09.2021 in approving the balance sheet for the year 2021, the petitioner had given representation to the 1st respondent on various dates as stated in the prayer. However, since those representations have not been considered and no orders seems to have been passed so far by the 1st respondent, the petitioner has moved the present writ petition with the aforestated prayer.



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3. Heard Mr.S.R.Varun Karthik, learned counsel appearing for the petitioner and Mr.R.Sidharth, learned Central Government Standing Counsel appearing for the 1st respondent.

4. In view of the order going to be passed in this writ petition, notice to the 2nd respondent is hereby dispensed with.

5. The learned Standing Counsel appearing for the 1st respondent would submit that, if at all the representations have been submitted by the petitioner to the 1st respondent as stated in this writ petition, those representations would be verified and after considering the same, orders would be passed disposing those representations by the 1st respondent on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Having regard to the said submissions made by the learned Standing Counsel appearing for the 1st respondent and by taking into account of the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following



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orders:

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That there shall be a direction to the 1st respondent to consider the representations of the petitioner dated 21.09.2021, 22.09.2021, 09.03.2022, 11.03.2022, 21.05.2022, 04.07.2022, 05.08.2022 and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

27.09.2022

Index: Yes/No

Speaking Order : Yes/No

Sgl

To

The Registrar of Companies,
Ministry of Corporate Affairs,
Government of India,
No.26, II nd Floor, Shastri Bhavan,
Haddows Road, Chennai – 600 006.



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R. SURESH KUMAR, J.

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