



W.P.No.23126 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.23126 of 2017

&

W.M.P.No.24233 of 2017

R.Venkatanarayanan

... Petitioner

Vs.

1.Government of India
Ministry of Corporate Affairs
Shastri Bhavan, 'A' Wing,
5th floor, Dr.Rajendra Prasad Road
New Delhi-110 001

2. Government of India
Ministry of Corporate affairs
Office of Regional Director
Southern Region, Chennai
5th floor, 'A' Wing
Shastri Bhavan, 26 Haddows road
Chennai-600 006

3.The Registrar of Companies
2nd floor, Shastri Bhavan
26, Haddows road
Chennai-600 006

4.Adambakkam Janopakara Saswatha Nidhi Ltd
A registered Company incorporated under the
Companies Act



W.P.No.23126 of 2017

represented by its Secretary
No.107/62, Pudupet Street
Alandur, Chennai-600 016

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 herein to conduct fresh enquiry and give comprehensive report regarding entire case in Ref.F.No.ROC.Chn/IPC/104/2014 dated 24.03.2016 on the file of the 3rd respondent in accordance with law and consequently direct the 4th respondent to renew the deposits of the petitioner available (with them) with due interest and with effect from 21st November 2013.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.K.S.Jeyaganeshan, SPC for R1 to 3

Mr.K.Vijayaraghavan for R4

ORDER

Writ Petition is filed, seeking a direction to the respondents 1 to 3 herein to conduct fresh enquiry and give comprehensive report regarding entire case in Ref.F.No.ROC.Chn/IPC/104/2014 dated 24.03.2016 on the file of the 3rd respondent in accordance with law and consequently direct the 4th respondent to renew the deposits of the petitioner available (with them) with due interest and with effect from 21st November 2013.

2. The grievance of the petitioner is that the petitioner has deposited a



W.P.No.23126 of 2017

sum of Rs.1,13,000/- with the 4th respondent from November 2013 till

11.09.2014 and according to him though other depositors deposits have been renewed the petitioner has been singled out his deposit has not been renewed. on the contrary, after one year the amount has been paid through RTGS on 11.09.2014 though the maturity date was 11.09.2013, hence the contention that he being a minority share holder he has been singled out. the reason assigned by the respondent is not correct and therefore seeks a direction .

3. Heard the learned counsel on either sides.

4. Learned counsel appearing for the petitioner would submit that the petitioner has been singled out for the reason for not producing the deposits receipt therefore same is not valid in the eye of law. However, as the principal amount has been paid as amount has been retained even after maturity is not paid immediately. Therefore, he is entitled to interest.

5. Learned counsel appearing for the 4th respondent would submit that



W.P.No.23126 of 2017

they are ready to pay interest from date of maturity from 19.11.2013 till 11.09.2014 at the rate of 6%. However considering the entire issue, this Court directs the respondents to pay interest from 19.11.2013 till 11.09.2014 at the rate of 7% within a period of four weeks from today.

Accordingly, Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

30.09.2022

kpr
Internet:Yes
Speaking/Non speaking order

To



W.P.No.23126 of 2017

1. Government of India

Ministry of Corporate Affairs
Shastri Bhavan, 'A' Wing,
5th floor, Dr.Rajendra Prasad Road
New Delhi-110 001

2. Government of India

Ministry of Corporate affairs
Office of Regional Director
Southern Region, Chennai
5th floor, 'A' Wing
Shastri Bhavan, 26 Haddows road
Chennai-600 006

3. The Registrar of Companies

2nd floor, Shastri Bhavan
26, Haddows road
Chennai-600 006

4. The Secretary

Adambakkam Janopakara Saswatha Nidhi Ltd
A registered Company incorporated under the
Companies Act
No.107/62, Pudupet Street
Alandur, Chennai-600 016



WEB COPY



W.P.No.23126 of 2017

N. SATHISH KUMAR, J.

kpr

W.P.No.23126 of 2017

&

W.M.P.No.24233 of 2017

30.09.2022