



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.32988 of 2019

S.Sivakumar Shunmuganathan

... Petitioners

Vs

1. Union of India,
Represented by its Secretary,
Ministry of Corporate affairs,
Shastri Bhawan, Dr.Rajendra Prasad Road,
New Delhi - 110 001.

2. The Registrar of Companies,
Tamil Nadu, Chennai,
Block No.6, B Wing, 2nd Floor,
Shastri Bhawan 26,
Haddows Road, Chennai - 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the representation dated 18.11.2019 for reactivate the petitioner's DIN No.1685295 and digital signature thereby enable him to initiate necessary steps to compound all the issues with the 2nd respondent in respect with the petitioner's company namely, M/s.Vikram Software Limited, in accordance with the Companies Act.

For Petitioner : Mr.V.Vijayakumar

For Respondent : Mr.J.Madana Gopal Rao,
Senior Panel Counsel

O R D E R

Mr.J.Madana Gopal Rao, learned Senior Panel Counsel appearing for the respondents and have also filed a counter on behalf of R2 i.e. The Registrar of Companies. The facts in the present case are akin to the facts in W.P.Nos.3188 & 3191 of 2022.



2.The de-activation of the Directors Identification Number (DIN) No. 1685295 of the present petitioner has, admittedly, been transpired on 01.11.2016 and runs till 30.10.2021. Though, it was uploaded in 2018, this fact is not relevant, as the petitioner would have no dispute that the Court believes. The admitted position is that the de-activation has no effect as on date.

3.Be that as it may, learned counsel for the respondents states that there has been non-compliance by the petitioner in terms of the Rule XI (iii) of the Companies (Appointment of Directors) Rules, 2014, as the relevant KYC forms were not filed, as a result thereof, the DIN has been de-activated thereafter.

4.The prayer in the present Writ Petition is only for consideration of the representation of the petitioner dated 18.11.2019 for re-activation of the petitioner's DIN. Learned counsel for the petitioner would, on behalf of the petitioner, agree that necessary compliances would be effected forthwith and learned counsel for the respondents assures the Court that upon necessary compliances be effected, necessary action would be taken forthwith to re-activate the DIN of the petitioner.

5.The submissions of both the learned counsel are recorded in this regard and this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

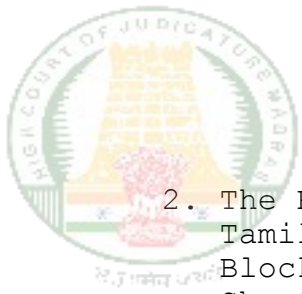
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Sub Assistant Registrar

sl/kbs

To

1. Union of India,
Represented by its Secretary,
Ministry of Corporate affairs,
Shastri Bhawan, Dr.Rajendra Prasad Road,
New Delhi - 110 001.



2. The Registrar of Companies,
Tamil Nadu, Chennai,
Block No.6, B Wing, 2nd Floor,
Shastri Bhawan 26,
Haddows Road, Chennai - 600 006.

+1cc to Mr.V.Vijayakumar, Advocate, S.R.No.29283

W.P.No.32988 of 2019

SSV(CO)
SU(12/05/2022)