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W.P.No.20535 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.20535 of 2023

Santhi Pitchaiya Nattar

...Petitioner

-Vs-

- 1.The Registrar,
Registrar of Companies,
Ministry of corporate affairs,
Block No.6, B Wing 2nd Floor,
Shastri Bhavan 26,
Haddows Road, Chennai – 600 034.
- 2.The Principal Secretary to Government,
Housing and Urban Development Department,
Tamil Nadu Real Estate and Regulatory Authority,
Secretariat, Chennai – 600 009.
- 3.The Superintendent of Police, (S.P),
Economic Offences Wing, (E.O.W),
SIDCO, Old Corporate Buildings, 1st Floor,
Thiru.vi.ka, Industrial Estate, Guindy,
Chennai – 32.
- 4.M/s.Home Finders Housing Pvt. Ltd
& Lamical Club & Resort Pvt. Ltd
Rep by Managing Director (K.S.Ramalingam),
Flat No.2C, Race view Towers,
71 Mount Road, Guindy,
Chennai – 600 090

...Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, direct the 1st and 3rd respondent to consider the petitioner's representation dated 26.06.2023. Consequently to direct the 1st and 2nd Respondent to cancel the Registration in the name of 4th Respondent and to take legal action of attached the movable and immovable property and bank accounts of 4th Respondent by the 3rd Respondent.

For Petitioner	: Ms.M.Yogaa
For R1	: Mr.Prasad Vijayakumar Special Government Pleader
For R2 & R3	: Mr.V.Manohar, Additional Government Pleader

ORDER

The petitioner's grievance is that the fourth respondent has not fulfilled its obligation as a promoter to the petitioner in building residential apartments. Therefore, the petitioner has moved this Court for a direction to the first respondent, the Registrar of Companies to cancel the Registration in the name of the 4th respondent.

2.Mr.Prasad Vijayakumar, learned Senior Panel Counsel appeared for the first respondent.



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3.Mr.V.Manohar, learned Additional Government Pleader appeared for the respondents 2 and 3.

4.If the fourth respondent is a registered Company, under the RERA Act the petitioner has his remedies available. If the petitioner is still keen to cancel the Registration in the name of the fourth respondent, he has to work out his remedy within the framework of Company's Court.

5.The Writ Petition is disposed of accordingly. No costs.

12.07.2023

Index : Yes/No

Internet : Yes/No

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N.SESHASAYEE, J.,

Tsg

To

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Order made in
W.P.No.20535 of 2023

12.07.2023