



W.P.No.27407 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.27407 of 2023

N.Thambanan

... Petitioner

Vs.

- 1.The Union of India,
Ministry of Corporate Affairs,
Shastri Bhavan, 5th Floor,
A-Wing, Dr.Rajendra Prasad Road,
New Delhi – 110 001.
- 2.The Regional Director,
Ministry of Corporate Affairs,
Southern Region, Shastri Bhavan,
5th Floor, Haddows Road, Nungambakkam,
Chennai – 600 034.
- 3.The Inspector General of Registration,
No:100, Santhome High Road,
Chennai – 600 028.
- 4.M/s.Erode HI-Tech Weaving Park,
Mayor Complex,
No.21, Palaniapa Street,
Erode – 638 009.

...Respondents



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Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st and 2nd Respondents to initiate appropriate action against M/s Erode Hi-tech Weaving Park Pvt. Ltd i.e.4th Respondent herein by considering the representation dated 10.01.2023 sent by the Petitioner to the Respondents.

For Petitioner : Mr.Naveen Kumar Murthi
For Respondents : Mr.R.Rajesh Vivekananthan,
Deputy Solicitor General for R1 and R2

ORDER

The petitioner herein has laid this petition for seeking a direction to the respondents 1 and 2 to initiate action against the fourth respondent on the allegation that the fourth respondent had played fraud on the petitioner.

2.The brief facts that could be culled out from the representation of the petitioner dated 10.01.2023 are;

- The fourth respondent company enticed the petitioner into parting with his property measuring 700 Sq.ft., in Sy.no.67/1, 2, Sy.No.68/1 and 2, on the premise it is proposing to establish a weaving park and would be installing power loom in the said property of the petitioner.



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- pursuant to the same, the petitioner has executed a sale deed dated 13.03.2006. Indeed, the fourth respondent had also executed another document on the same date promising to allot the aforesaid property with an estate area of about 3600 Sq.ft.
- According to the petitioner, he had sold the property believing the representation made by the fourth respondent. However, the fourth respondent did not keep its word. Hence, the petitioner, has filed a representation dated 10.01.2023.

3.Mr.R.Rajesh Vivekananthan, learned Deputy Solicitor General takes notice for the respondents 1 and 2.

4.Without getting into the merit of the grievance raised by the petitioner, this Court merely directs the respondents 1 and 2 to take a call on the petitioner's representation, within the meaning of Section 447 and 448 of the Companies Act, and offer all those who are likely to be affected by his decision a fair and effective opportunity of being heard, and dispose of the same as expeditiously as possible.



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

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Index : Yes / No

Neutral citation : yes/no



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