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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.02.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.4592 of 2024

Madhav Ganesh

... Petitioner

Vs

1. The Registrar,
ROC, Chennai, The Registrar of Companies,
Chennai.
Block No.6 B Wing 2nd Floor,
Shastri Bhawan, 26, Haddows Road,
Chennai – 600 034.

2. M/s.Tiruneveli Infrastructure Developers Private Limited,
rep. by its Director,
Mr.Martin Sebastin

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner representation dated 14.10.2023.

For Petitioner : M.Prem Kumar

For Respondents : Mr.K.Subbu Ranga Bharathi

Central Government Standing Counsel - R1



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ORDER

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Mr.K.Subbu Ranga Bharathi, learned Central Government Standing Counsel accepts notice for the first respondent, the Registrar, Registrar of Companies, Chennai/R1 and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission. No notice is thought necessary to the private respondent, arrayed as R2, as its interest has been taken note of and duly protected by virtue of this order.

2. The affidavit filed in support of the Writ Petition contains various facts in regard to the petitioner's father one M.Irulappan and his business dealings with R2. In light of the fact that R2 is not present before the Court and for the reason that this Court would wish to enter into the realm of facts, possibly disputed, the same are not adverted to.

3. In fine, the prayer of the petitioner is for a mandamus directing R1 to consider his representation dated 14.10.2023. The representation of the petitioner reflects the attempt of the petitioner to ascertain whether there had been any capital contribution made by his father to R2 which would be reflected in the financial statements and annual returns filed by R2 with the Registrar of Companies.



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4. Mr.Subbu Ranga Bharathi, learned counsel for R1 would have no objection to this Court issuing mandamus simplicitor directing disposal of the representation.

5. Hence, mandamus is issued to R1 to hear the petitioner as well as R2 by issuance of notice and dispose representation dated 14.10.2023 on merits and in accordance with law and all applicable Rules and Regulations, within a period of six (6) weeks from date of receipt of a copy of this order.

6. This Writ Petition is disposed as above. No costs.

26.02.2024

Index : Yes / No

Speaking Order

Neutral Citation: Yes

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To

1. The Registrar,
ROC, Chennai, The Registrar of Companies,
Chennai.
Block No.6 B Wing 2nd Floor,
Shastri Bhawan, 26, Haddows Road,
Chennai – 600 034.



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Dr.ANITA SUMANTH,J.

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