



W.P(MD)No.8006 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.8006 of 2019

and

W.M.P(MD)Nos.6310 & 6311 of 2019

S.Lakshmanaperumal

... Petitioner

Vs

- 1.The Secretary,
Institute of Chattered Accountants of India,
ICAI Bhawan,
Indraprastha Marg,
New Delhi - 110 002.
- 2.The Deputy Secretary,
Disciplinary Directorate,
The Institute of Chattered Accountants of India,
ICAI Bhawan,
Indraprastha Marg,
PP No.7100,
New Delhi - 110 002.
- 3.The Director, (Discipline),
Disciplinary Directorate,
The Institute of Chattered Accountants of India,
ICAI Bhawan,
Indraprastha Mark,
PP No.7100,
New Delhi 110 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records relating to the impugned report of the third respondent in Case No.PPR/P/295/17/DD/279/TAMC/INF/17 dated 13.10.2018 and the consequential



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communication issued by the second respondent in his proceedings Ref.No.PPR/P/295/17/DD/279/TAMC/INF/17/DC/1012/19 dated 25.02.2019 and quash the same as illegal, arbitrary and without jurisdiction and contrary to the provisions of Chartered Accountants Act 1949 and Chartered Accountants Regulations 1988 and Chartered Accountants (Procedure of Investigation of Professional and other Misconduct and Conduct of Cases) Rules, 2007.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.H.Velavadas

ORDER

This Writ Petition has been filed by the petitioner challenging the impugned report of the third respondent dated 13.10.2018 and the consequential communication issued by the second respondent dated 25.02.2019 and contrary to the provisions of Chartered Accountants Act 1949 and Chartered Accountants Regulations 1988 and Chartered Accountants (Procedure of Investigation of Professional and other Misconduct and Conduct of Cases) Rules, 2007.

2.When the matter is taken up for hearing today, the learned counsel appearing for the respondents has produced the proceedings of the Assistant Director, Disciplinary Directorate, the



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Institute of Chartered Accountants of India vide Ref.No. [PPR/P/295/17DD/279/TAMC/INF/17]-DC/1012/2019, wherein it is stated as follows:

'Accordingly, in view of the Judgment dated 17th May 2024 passed by the Hon'ble Supreme Court concluding that all proceedings initiated pursuant to the impugned Guideline in respect of the writ petitioners and other similarly situated Chartered Accountants stand quashed, the disciplinary committee held that the disciplinary proceedings initiated against the petitioner in the above case can be dropped. Thus, the above case initiated against you stands closed.'

3.Recording the same, this Writ Petition stands closed.

There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

04.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

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G.K.ILANTHIRAIYAN, J.

ps

Order made in
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04.12.2024