



WEB COPY

WP No. 2971 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 2971 of 2023

1. M/s.Hyder Trading company Private Limited
Rep by its Ex-Director and Authorized Signatory
Mr. S.A.J. Kamal Batcha,
New No. 47 (Old No. 63)
Usman Road, T Nagar,
Chennai 600 017

Petitioner(s)

Vs

1. The Registrar of Companies
Shastri Bhavan, 2nd Floor,
Block V and VI
No. 26, Haddows Road,
Chennai 600 006

Respondent(s)

PRAYER

Directing the respondent to permit the petitioner company to file annual return and financial statements for all the missing years from 2000 and to restore the company as 'Active' and grant such other relief which may deem fit and proper under the circumstances of the case.



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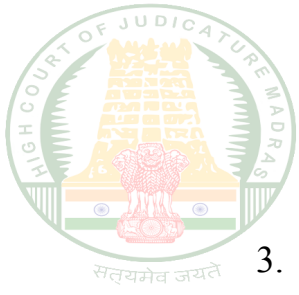
For Petitioner(s): Mr.R.Rajarajan

For Respondent(s): Mr.C. Kulanthaivel,
Senior Panel Counsel For R1

ORDER

This writ petition has been filed for the issuance of a writ of mandamus directing the respondent to permit the petitioner to file the annual returns and financial statements for all the years starting from 2000 and to restore the company, which has been declared as non-compliant.

2. The respondent has filed a counter affidavit. On carefully going through the counter affidavit, it is seen that the petitioner company did not file any financial statements from the financial year 2000-01 and did not take any steps to appoint another Director after the demise of the Director in the year 2013. Hence, the company was marked as non-complaint on the portal. It is also seen that the relief as sought for by the petitioner does not fall within the ambit of Section 252 read with 248 of the Companies Act, 2013. The petitioner company has to necessarily take steps in accordance with the provisions of the Section 167(3) of the Companies Act, 2013 for the appointment of Directors, so as to enable the company to file necessary returns/forms. Only then, the question of reviving the company will arise. Since this has not been done, the relief sought for in the present writ petition cannot be granted.



3. In view of the above, the writ petition is dismissed. No costs.

Consequently, the connected miscellaneous petitions, if any, are closed.

18-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.

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