



WEB COPY



W.P.No.8420 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.8420 of 2024
and
WMP.Nos.9380 & 9381 of 2024

Ilanth Thulir Nidhi Ltd.,
SMSSS Campus,
3/54, Bagawatsingh Road,
Paramakudi,
Ramanathapuram District.
Tamil nadu-623 707
rep. By Jeyaraj Arockia Xavier, Director.

... Petitioner

Vs.

- 1.Union of India,
Ministry of Corporate Affairs,
rep. By its Secretary,
V Floor, A Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road,
New Delhi-110 001.
- 2.Under Secretary,
Ministry of Corporate Affairs,
Union of India,
V Floor, A Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road,
New Delhi-110 001.
- 3.The Regional Director (Southern Region),
V Floor, Shastri Bhavan,
26, Haddows Road,
Chennai-600 006.



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4.The Registrar of Companies,
Block No.6, B Wing, II Floor,
Shastri Bhavan,
Chennai-600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records in the proceedings in the issue of Letter No.SRN.No.AA6157876/2023/CL-VII dated 18.12.2023 by the first and second respondents suffers from denial of natural justice, unreasonable, mala fide, whimsical, arbitrary and in violation of Rule of Law, quash the same, consequently, issue direction to the first respondent to approve the said application by way of declaration of the petitioner company as Nidhi Company under Section 406 of the Companies Act, 2013 and Rule 3A, 3 B, 23 A and 23 B of Nidhi Rules, 2014 as amended in the year 2022, notify the same in the official Gazette.

For Petitioner : Mr.A.Irudayam

For Respondents : Mr.K.Subbu Ranga Bharathi, CGC

ORDER

The proceedings of the respondents 1 & 2 in Letter No.SRN.No.AA6157876/2023/CL-VII dated 18.12.2023, is put under challenge in the present Writ Petition. Consequently, the petitioner seeks a direction to the first respondent to approve the said application by way of declaration of the petitioner company as Nidhi Company under Section 406 of the Companies Act, 2013 and Rule 3A, 3 B, 23 A and 23 B of Nidhi

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Rules, 2014 as amended in the year 2022 and to notify the same in the official Gazette.

2. Heard both sides.

3. The learned counsel for the petitioner submitted that the petitioner is the Director of the Nidhi Limited Company having 244 members with authorized capital of Rs.25 lakhs and subscribed capital of Rs.20 lakhs and 7 promoters and for want of registration of the said Company, they made an application in Form NDH-4 to the respondents, however, the same was rejected by the first respondent through impugned order dated 18.12.2023. Challenging the same, the present Writ Petition.

4. In continuation of his arguments, the learned counsel for the petitioner submitted that in order to rectify the defect, liberty may be granted to the petitioner to submit the relevant documents to the first respondent and also sought for a direction to the first respondent to consider the same and pass orders.

5. Recording the same, the Writ Petition stands disposed of, with a direction to the petitioner to file necessary documents to the first respondent,



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within a period of four weeks from the date of receipt of a copy of this order.

On receipt of the same, the first respondent shall consider and pass appropriate orders in accordance with law, within a period of four weeks thereafter. Consequently, connected Miscellaneous Petitions are closed.

There shall be no orders as to costs.

10.11.2025

Index: Yes/No

NCC : Yes/No

Order : Speaking/Non Speaking

DP



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