



W.P.No.12966 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated: 15.04.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12966 of 2025

G.Elavarasan.

... Petitioner

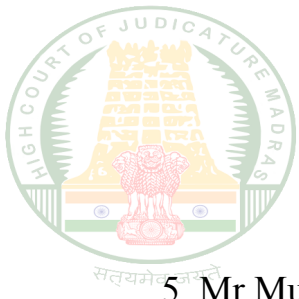
/versus/

1. The Registrar of Companies,
Ministry of Corporate Affairs,
Block 6, B wing, II Floor,
Shastri Bhavan,
76, Haddows Road,
Chennai 600 034.

2. The Superintendent of Police,
District Police Office,
Cuddalore.

3. The Sub Inspector of Police,
District Crime Branch – 1,
Cuddalore.

4. Mr.Dhandapani,
First Designated Partner,
Vivasayeegal Kudumbam Mart LLP,
No.100/5A1, South Car Street,
Chidambaram,
Cuddalore District.



W.P.No.12966 of 2025

5. Mr.Murugesan,
Second Designated Partner,
Vivasayeegal Kudumbam Mart LLP,
No.100/5A1, South Car Street,
Chidambaram Cuddalore District

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to proceed with its notice dated 10.11.2022 in F.No Roc. Chn/IPC/AAT - 6767/2022 and conduct through investigation by appointing an independent auditor in respect of the affairs of Vivasayeegal Kudumbam Mart (VK Mart), having registered office at No.100/5A1, South Car Street, Chidambaram, Cuddalore District 608 001 and doing business at Door No.98, South Car street Chidambaram, Cuddalore District and further to take appropriate legal action against the 4th respondent to protect the interests of all other investors by considering the petitioner's representation dated 24.01.2025 and consequently directing the 2nd and 3rd respondents to conduct enquiry on the petitioner's representation dated 04.12.2024.

For Petitioner :Mr.G.Pugazhenth

For Respondents :Mr.P.Gopi Raja,
(CGSC), for R1
: Dr.C.E.Pratap,
Government Advocate (Crl.Side), for R2 & R3



W.P.No.12966 of 2025

ORDER

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This writ petition is filed to issue a writ of Mandamus directing the 1st respondent to proceed with its notice dated 10.11.2022 and conduct thorough investigation by appointing an independent Auditor in respect of the affairs of a Limited Liability Partnership in the name and style *Vivasayeegal Kudumbam Mark (VK Mart)*, having registered Office at No.100/5A1, South Car Street, Chidambaram, Cuddalore District.

2. The allegation of the petitioner is that the respondents 4 and 5 have indulged in several acts of mismanagement and excesses and therefore, the complaint is given.

3. When the matter came up for admission, Mr.P.Gopi Raja, Learned Counsel appearing on behalf of the first respondent would submit that subsequent to the notice dated 10.11.2022, a show cause notice was issued on 25.02.2025 and thereafter explanation was received on 04/03/2025, the consideration of the same is under progress. This apart, the first respondent has also forwarded a complaint to the jurisdictional police. It is further stated by the Learned Counsel that the 1st



W.P.No.12966 of 2025

respondent will proceed further with the enquiry and pass orders thereon in accordance with law.

4. The Learned Government Advocate (Criminal Side) for the respondents 2 & 3 would submit that as far as the said complaint is concerned, it has been enquired and closed by the jurisdiction of police on the ground that the competent authority itself can consider the matter and pass orders.

5. In view of the submissions that are made by the Learned Counsel for the first respondent, the writ petition is disposed of at the admission stage itself without deciding any of the allegations and without notice to the respondents 4 and 5.

(i) The first respondent shall proceed further with its enquiry, pursuant to the notice dated 10.11.2022 and the subsequent show cause notice said to have been issued by it and pass orders thereon in accordance with law.



W.P.No.12966 of 2025

(ii) The 1st respondent shall also hear the petitioner as well as the respondents 4 and 5 and decide the matter.

(iii) The entire exercise shall be completed within a period of 12 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

There shall be no order as to costs.

15.04.2025

Neutral citation:No.

bsm

To,

1. The Registrar of Companies,
Ministry of Corporate Affairs,
Block 6, B wing, II Floor,
Shastri Bhavan, 76, Haddows Road,
Chennai 600 034.

2. The Superintendent of Police, District Police Office, Cuddalore.

3. The Sub Inspector of Police, District Crime Branch – 1, Cuddalore.

4. The Government Pleader, High Court, Madras.

D.BHARATHA CHAKRAVARTHY,J.



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W.P.No.12966 of 2025

bsm

W.P.No.12966 of 2025

15.04.2025