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W.P.Nos.21478, 21484, 21486 and 21489 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

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THE HONOURABLE MR. JUSTICE **S.M.SUBRAMANIAM**

AND

THE HONOURABLE MR. JUSTICE **MOHAMMED SHAFFIQ**

W.P.Nos.21478, 21484, 21486 and 21489 of 2025

and

W.M.P. Nos.24263 and 24264 of 2025 in W.P.No.21478 of 2025

W.M.P. Nos.24269 and 24272 of 2025 in W.P.No.21484 of 2025

W.M.P. Nos.24275 and 24276 of 2025 in W.P.No.21486 of 2025

W.M.P. Nos.24279 and 24280 of 2025 in W.P.No.21489 of 2025

Anand Kumar Mishra

... Petitioner in
W.P.No.21478 of 2025

Senthil Kumar J

... Petitioner in
W.P.No.21484 of 2025

M.Thiyagarajan

... Petitioner in
W.P.No.21486 of 2025

Vijaya Kannan

... Petitioner in
W.P.No.21489 of 2025

Vs.

1.The Union of India

Secretary to Government of India

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Ministry of Corporate Affairs (MCA)
Garage No.14 'A' Wing
Shastri Bhawan, Rajendra Prasad Road,
New Delhi – 110 001.

2. Insolvency and Bankruptcy Board of India (IBBI)
rep. By Deputy General Manager,
7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi – 110 001.

3. M/s. Trupro Insolvency Services LLP
(Resolution Professional of
M/s. Amar Prakash Developers Private Limited)
House No.581, Third Floor, Sec 27, Gurugram,
Haryana – 122 001.

4. Rohit Sehgal
Partner,
Trupro Insolvency Services LLP,
A 604, Sujjan Vihar, Sector 42,
Gurugram – 122 002, Haryana.

5. Jagdish Kumar Parulkar,
Partner,
Trupro Insolvency Services LLP,
B56, Wallfort City, Bhata, Ring Road,
No.1, Raipur, Chhattisgar – 492 001.

6. Karthik Natarajan,
Partner,
Trupro Insolvency Services LLP,
Flat No.7, Plot No.58, Atreya Ashram Chs,



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R.A. Kidwali Road, Opp.SNDT,
Mumbai City – 400 019, Maharashtra.

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7.Veenu Drall,
Insolvency Professional appointed by
Trupro Insolvency Services LLP
residing at 13G, Vikrant Apartments,
Sector 13, Rohini,
New Delhi – 110 085.

8.Sankaran R

... Respondents

Petitions filed under Article 226 of The Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent culminating in the impugned orders dated 17.04.2025 bearing reference numbers IBBI/C/2024/01266, IBBI/C/2024/01265, IBBI/C/2024/01271 and IBBI/C/2024/01273, set aside the same and consequentially direct the 2nd respondent to conduct an investigation / enquiry against the 3rd respondent in accordance to the Insolvency and Bankruptcy Board of India (Inspections and Investigations) Regulations 2017 Insolvency and Bankruptcy Board of India (Grievance and Complaint Handling Procedure) Regulations 2017.

For Petitioner : Mr.Kishore Balasubramanian
in all Wps

For Respondents : Mr.K.K.Muralidharan,
Central Government Standing Counsel
for R1 in all WPs



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Mr.Tharun V.M.

for Mr.S.M.Vivekanandh for R2

in all WPs

Mr.Raghav Rajeev Menon for R3

in all WPs

No appearance for R4, R5, R7 and R8

in all WPs

R6 – Not ready in notice in all WPs

COMMON ORDER

(Order of the Court was made by *MOHAMMED SHAFFIQ, J.*)

Common issue is raised in all four writ petitions. Challenge in all writ petitions is made to the proceedings dated 17.04.2025, whereby complaints lodged by the petitioners with the second respondent Board alleging misconduct of third respondent were disposed of, according to them, without assigning reasons.

2. Learned counsel for the petitioners briefly submits that the petitioners had originally lodged claims as financial creditors being home buyers against the builder. However, the resolution professional had reclassified the petitioners as creditors other than financial creditors. Learned counsel for the petitioners would submit that the above reclassification is without any merit



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and that by itself would constitute recklessness and negligence and therefore, they had lodged complaints before the Insolvency and Bankruptcy Board of India, the second respondent under Insolvency and Bankruptcy Board of India (Grievance and Complaint Handling Procedure) Regulations, 2017. The complaints were examined by the second respondent Board and disposed vide the impugned orders.

3. Learned counsel for the second respondent Board would submit that the petitioners, if aggrieved, have a remedy by way of review in terms of Regulation 7 of the Insolvency and Bankruptcy Board of India (Grievance and Complaint Handling Procedure) Regulations, 2017.

4. On hearing the learned counsel, we find that this is a matter where the petitioners may have to exhaust the remedy by way of review before approaching this Court. At this juncture, learned counsel for petitioners seeks liberty to file review in terms of the above Regulations to which there was no serious objections by learned counsel for respondents. In view thereof,



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petitioners shall file review petitions against the impugned proceedings dated

17.04.2025 within a period of ten days from the date of receipt of a copy of this order. If any such review petitions are filed within the stipulated period, the same shall be admitted, entertained and disposed of in accordance with law, after affording an opportunity of hearing as contemplated under the said Regulations.

5. With the above directions, these writ petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[S.M.S., J.]

[M.S.Q., J.]

06.11.2025

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To

1.The Secretary to Government of India
Ministry of Corporate Affairs (MCA)
Garage No.14 'A' Wing

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2.The Deputy General Manager,,
Insolvency and Bankruptcy Board of India (IBBI),
7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi – 110 001.



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**S.M.SUBRAMANIAM, J.
AND
MOHAMMED SHAFFIQ, J.**

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