



W.P(MD)No.15448 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15448 of 2025

and

W.M.P.(MD)No.11679 of 2025

K.P.S.Muniswaran

... Petitioner

Vs.

1.Union of India,
The Secretary,
Rep. by its Ministry of Corporate Affairs,
Shastri Bhawan, Dr. Rajendra Prasad Road,
New Delhi - 110 001.

2.S.Ashok Kumar,
Inspecting Officer,
Registrar of Companies,
Tamil Nadu, Andaman and Nicobar Islands,
Block No.6, B Wing 2nd Floor,
Shastri Bhawan, 26, Haddows Road,
Chennai - 600 006.

3.M/s.Selvaraj Tex Private Limited,
204/6 Dindigul Main Road,
Vilangudi, Madurai - 625 018.

4.K.P.S.Selvaraj

5.S.Indra Vijayalakshmi



W.P(MD)No.15448 of 2025

6.The Branch Manager,
Union Bank of India,
P.B.No.51, Rosary Building,
1st Floor, Town Hall Road,
Madurai - 625 001.

7.The Branch Manager,
Axis Bank,
No.4,Good Shed Street,
Madurai - 625 001.

8.C.S.Prabhu,
Liquidator of M/s.Lakshmi Subbaiah Tex Private Limited,
2nd Floor, Codissia,
G.D.Naidu Towers, Huzur Road,
Coimbatore, Tamil Nadu 641 018.

... Respondents

*(R8 is impleaded vide order dated 23.09.2025 in
WMP(MD)No.15672 of 2025 in
WP(MD)No.15448 of 25 by GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Final Report filed by the 2nd Respondent dated 30.01.2024 and quash the same and consequently direct the 1st Respondent to appoint new Inspector under Companies Act and Carry a Re-Investigation and submit Fresh Report within 90 days and further direct the 1st Respondent to take action as per the Report submitted by the newly appointed Inspector within a period of further 90 days from the date of submission of the report.



W.P(MD)No.15448 of 2025

For Petitioner : Mr.R.Venkatesan,
For Mr.M.R.Sreenivasan.

For Respondents : Mr.G.Thalaimutharasu for R1
Mr.Thriymbak J.Kannan
For Mr.P.Ganapathi Subramanian for R4 & R5.
Mr.V.S.Karthi for R6
Mr.Raja for R8
No appearance for R7

ORDER

Heard the learned counsel for the petitioner, the learned counsel for the first respondent, the learned counsel for the respondents 4 and 5, the learned counsel for the sixth respondent and the learned counsel for the eighth respondent.

2.Vide order dated 05.05.2020, the Ministry of Corporate Affairs, Union of India approved investigation into the affairs of M/s.Selvaraj Tex Private Limited in exercise of their power under Section 210(1)(c) of the Companies Act, 2013. Vide order dated 09.06.2020, investigation was allotted to Shri.Joseph Jackson, ROC, Chennai. The said investigator had submitted his report dated 30.01.2024. Contending that the said report is neither here nor there, this writ petition has been filed for

3/6



W.P(MD)No.15448 of 2025

quashing the same and for directing the Central Government to appoint a new Inspector under the Companies Act for carrying out those investigation and for submission of fresh report.

3.I am of the view that it is the Central Government that will have to take the first call in the matter before the impugned report is judicially tested and scrutinized. I, therefore, direct the Secretary, Ministry of Corporate Affairs, Union of India or any other authorised officer to examine the report submitted by Shri.Joseph Jackson. If the Central Government is of the view that the mandate issued by it vide order dated 05.05.2020 has not been complied with, it is bound to scrap the same and appoint a new inspecting officer. But this is not a matter in which this Court can issue any positive direction. This Court can only call upon the first respondent to discharge their statutory functions in the manner known to law. Before the first respondent takes a call in the matter, all the interested parties including the writ petitioner as well as the private respondents herein shall be put on notice. A speaking order has to be passed by the first respondent. This exercise shall be completed within a period of four months from the date of receipt of a copy of this order.



W.P(MD)No.15448 of 2025

WEB COPY 4.This writ petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

22.10.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.15448 of 2025

G.R.SWAMINATHAN, J.

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W.P(MD)No.15448 of 2025

22.10.2025