



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 17121 of 2022

1. Alexander Correya
2. Henry Peter
3. V.R.Jude Jose

..Petitioner(s)

Vs

1. Union of India,
Rep by Ministry of Corporate Affairs,
No.26, Block No.6, B Wing 2nd Floor,
Shastri Bhawan, Haddows Road,
Chennai- 600 034.
2. Serious Fraud Investigation Office,
Corporate Bhawan,
Ground Floor, No.29, Rajaji Salai,
Chennai- 600 001.
3. Bhagyodayam Company,
Rep by its Administrator,
Mr.K.R. Jinan,
Chathiath, Pachalam P.O,
Cochin, Kerala- 682 023.
4. Registrar of Companies,
Kerala Company Law Bhawan,
BMC Road, Thrikkarai,
Kochi- 682 021.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd Respondent to investigate the affairs of the 3rd Respondent as directed by the National company Law Tribunal, Cochin vide order dated 11.03.2020 passed in



I.A./29/KOB/2020 in TCP/21/KOB/2019.

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For Petitioner(s) : Mr.Sharath Chandran

For Respondent(s) : Mr. Prabhu Raj
for M/s.A.K.Mylsamy & Associates for R3
No appearance for R1, 2 & 4

ORDER

Learned counsel for the petitioners would submit that the National Company Law Tribunal (for brevity NCLT), Cochin vide order dated 11.03.2020 directed the second respondent to investigate the affairs of the third respondent. However, the second respondent has failed to comply the order of NCLT. Hence, the petitioners have come forward with this writ petition for appropriate orders.

2. Learned counsel for the third respondent would submit that in the event of non-compliance of the order passed by NCLT, the petitioners can very well approach the NCLT itself under Section 425 of the Companies Act, 2013. Accordingly, he prays for dismissal of this writ petition.

3. Heard the learned counsel on either side and perused the materials available on record.

4. As rightly contended by the learned counsel appearing for the third



respondent, if there is any non-compliance of the order passed by the NCLT, the right course available to the affected person is to approach the NCLT itself under Section 425 of the Companies Act, 2013, for implementation of the same.

In such view of the matter, this Court is not inclined to pass any further order, as requested by the petitioners.

5. Accordingly, this writ petition stands dismissed. No costs.

06-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM

To:

1. The Ministry of Corporate Affairs,
No.26, Block No.6, B Wing 2nd Floor,
Shastri Bhawan, Haddows Road,
Chennai- 600 034.
2. Serious Fraud Investigation Office,
Corporate Bhawan, Ground Floor,
No.29, Rajaji Salai, Chennai- 600 001.
3. Mr.K.R. Jinan,
The Administrator,
Bhagyodayam Company,
Chathiath, Pachalam P.O,
Cochin, Kerala- 682 023.
4. Registrar of Companies,
Kerala Company Law Bhawan,
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KRISHNAN RAMASAMY, J.

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