

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 25317 OF 2021

Between:

CA Ramakrishna M, S/o. Jagadishwer Rao M

Petitioner

AND

1. Union of India, Ministry of Corporate Affairs, Represented by its Principal Secretary,
2. Institute of Chartered Accountants of India, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shandara, Nr. Karkardooma Court, New Delhi-110 002
3. Disciplinary Directorate, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shandara, Nr. Karkardooma Court, New Delhi-110 002
4. Director (Discipline), Institute of Chartered Accountants of India, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shandara, Nr. Karkardooma Court, New Delhi-110 002
5. CA Sridhar Gopinathan, C/o M. Venkata Ramanachary, 10-1-18/35, Shyam Nagar, Hyderabad 500 004

Respondents

WHEREAS the Petitioner above named through his Advocate Sri A.Venkatesh, presented this petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, direction or order including a Writ of Certiorari to call for the records in disciplinary proceedings bearing Ref No. PR-250/2017/DD-260/2017/DC/996/2019 and consequently, quash the orders dated 03.02.2021 and 31.03.2021 passed therein by declaring them as arbitrary, illegal, unconstitutional, violative of the provisions of the Chartered Accountants Act, 1949, Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rule. 2007 and as being consequently, in contravention of Article 14 and 19(1)(g) of the Constitution of India;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein, and upon hearing the arguments of Sri A.Venkatesh, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Union of India, Ministry of Corporate Affairs, New Delhi.
2. Institute of Chartered Accountants of India, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shandara, Nr. Karkardooma Court, New Delhi-110 002
3. Disciplinary Directorate, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shandara, Nr. Karkardooma Court, New Delhi-110 002
4. Director (Discipline), Institute of Chartered Accountants of India, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shandara, Nr. Karkardooma Court, New Delhi-110 002
5. CA Sridhar Gopinathan, C/o M. Venkata Ramanachary, 10-1-18/35, Shyam Nagar, Hyderabad 500 004

are directed to show cause on or before 02-11-2021 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2021:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to suspend Order dated 31.03.2021 issued by the 3rd Respondent in Proceedings bearing Ref No. PR-250/2017/DD-260/2017/DC/996/2019 against the Petitioner, pending disposal of WP No. 25317 of 2021, on the file of the High Court.

The Court made the following: ORDER:

"Notice before admission.

Post on 02-11-2021.

The impugned order dated 06-09-2021 is suspended as it is contrary to Rule 18 of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, subject to condition that the petitioner pays fine of Rs. 25,000/- as imposed by the authorities."

**SD/- B. SATYAVATHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Union of India, Ministry of Corporate Affairs, New Delhi.
2. Institute of Chartered Accountants of India, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shahdara, Nr. Karkardooma Court, New Delhi-110 002
3. Disciplinary Directorate, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shahdara, Nr. Karkardooma Court, New Delhi-110 002
4. Director (Discipline), Institute of Chartered Accountants of India, ICAI Bhawan, 52-53-54, Intuitional Area, Vishwas Nagar, Shahdara, Nr. Karkardooma Court, New Delhi-110 002
5. CA Sridhar Gopinathan, C/o M. Venkata Ramanachary, 10-1-18/35, Shyam Nagar, Hyderabad 500 004 (Addressees 1 to 5 BY RPAD along with a copy of petition and affidavit)
6. One CC to Sri A.Venkatesh, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

AKS,J

DATE: 05-10-2021

NOTICE BEFORE ADMISSION

WP. NO. 25317 OF 2021

SUSPENSION



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