

BEFORE THE BOARD OF DISCIPLINE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA

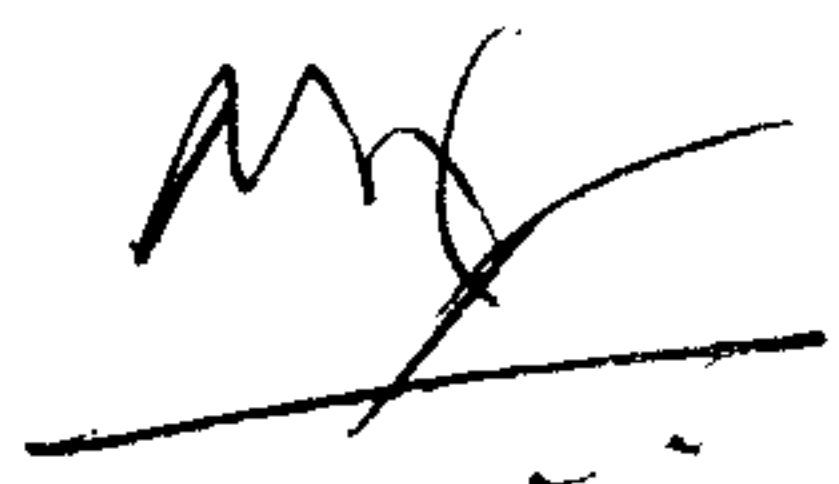
DC: 106/2011

**In the matter of the complaint of professional or other misconduct filed
by Ms. R Ramela (ACS-21073) against Dr. K S Ravichandran (FCS-3675).**

Coram: Harish K Vaid, Presiding Officer, Umesh H Ved, N K Jain, Members

ORDER

1. A complaint in Form I dated the 11th October, 2011 was filed under Section 21 of the Company Secretaries Act, 1980 read with sub-rule (1) of Rule 3 of the Company Secretaries (Procedure of Investigation of Professional and other Misconduct and Conduct of Cases) Rules, 2007 (the Rules) by Ms. R Ramela, ACS - 21073 (hereinafter referred to as the 'Complainant') against Dr. K S Ravichandran, FCS - 3675 (hereinafter referred to as the 'Respondent'). Pursuant to sub-rule (3) of Rule 8 of the Rules, a copy of the complaint was sent to the Respondent *vide* letter dated the 17th October, 2011 calling upon him to submit the written statement followed by a reminder dated the 8th December, 2011. The Respondent submitted the written statement dated 15th December, 2011. Pursuant to sub-rule (4) of Rule 8 of the Rules, a copy of the written statement was sent to the Complainant *vide* letter dated the 26th December, 2011 asking her to file 'the Rejoinder. The Complainant *vide* letter dated the 13th January, 2012 requested for further 15 days' time to submit the Rejoinder. The Complainant was granted 10 days' time to submit the Rejoinder *vide* letter dated 17th January, 2012. The Complainant filed her Rejoinder dated 25th January, 2012.
2. The Complainant in her complaint had *inter-alia* stated that the Respondent had sent her a Legal Notice dated 18th August, 2011 through his Advocate contents of which are derogatory in nature and therefore, the Respondent has brought disrepute to the profession and the Institute.
3. The Respondent in his written statement had *inter-alia* stated that the issue involving the complaint is arising out of breach of contract of employment, breach of trust, misrepresentation and there is no professional misconduct on his part and the complaint is baseless, false and does not make out any case of



Umesh H. Ved



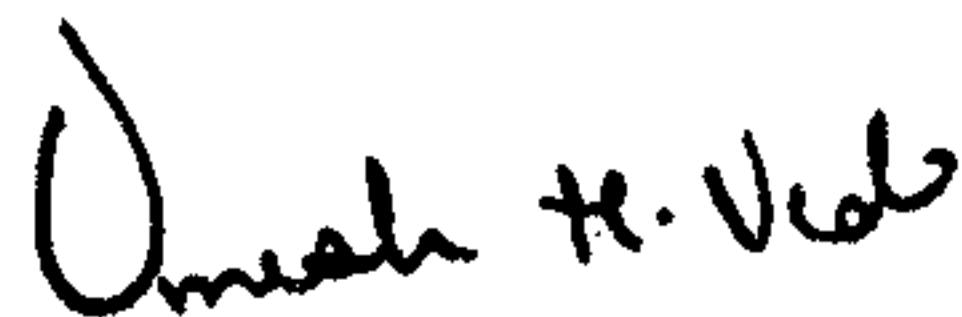
professional misconduct at all. He further stated that the Legal Notice issued to the Complainant was for her material breach of contract.

4. The Complainant in her Rejoinder has *inter-alia* stated that the Respondent has wrongly alleged that the Legal Notice was sent by him for material breach of contract. In fact, the main reason for sending the Legal Notice by the Respondent is the Respondent's displeasure in the Complainant's commencing independent practice as a Company Secretary.
5. Pursuant to Rule 9 of the Rules the Director (Discipline) examined the complaint, written statement, rejoinder and other material on record and was of the *prima-facie* opinion that the Respondent is not guilty of professional or other misconduct under the Company Secretaries Act, 1980, since the instant complaint is the outcome of the Legal Notice dated 18th August, 2011 served on the Complainant by the Respondent, contents of which does not tantamount to the professional or other misconduct on the part of the Respondent.
6. The Director (Discipline) placed his *prima-facie* opinion dated 20th June, 2012 before the Board of Discipline at its 39th meeting held on Saturday, the 25th August, 2012 for its consideration. The Boards of Discipline considered the *prima-facie* opinion of the Director (Discipline) and the material on record, and agreed with the *prima-facie* opinion of the Director (Discipline). The Board of Discipline came to the conclusion that the Respondent is not guilty of Professional or other Misconduct and closed the matter.

Accordingly, the complaint stands disposed-off.



(N K Jain)
Member



(Umesh H Ved)
Member



(Harish K Vaid)
Presiding Officer

Date: 25th August, 2012