



WEB COPY



WP No.2476 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.2476 of 2024

1. KRISHNAPING MINERALS PVT LTD
402, PINNACLE CORPORATE PARK,
NEAR TRADE CENTRE, OPP.MTNL ANDRA
KURLA COMPLEX, BANDRA EAST, MUMBAI-051.

2. SANJEEV RAMESH KHANDELWAL
DIRECTOR, KRISHNAPING MINERALS PVT. LTD,
FLAT NO.1101, 11TH FLOOR, ROSHNI CHS LTD.,
PLOT NO.380, 15TH ROAD, TPS-III,
BANDRA WEST, MUMBAI-050.

: Petitioners

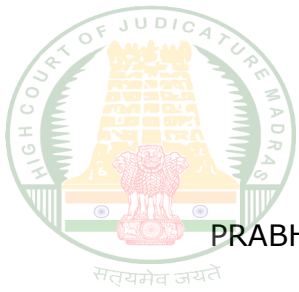
Versus

1. BOARD OF DIRECTORS
KARUR VYSYA BANK LTD.,
REP BY ITS MANAGING DIRECTOR & CEO
REGISTERED OFFICE AT NO.20,
ERODE ROAD, VADIVEL NAGAR,
L.N.S. KARUR, TAMIL NADU-639 002.

2. CHAIRPERSON,
COMMITTEES FOR STRESSED MICRO, SMALL & MEDIUM ENTERPRISES
(COSM), KARUR VYSYA BANK LTD., FIRST FLOOR,
GAYATHRI TOWERS, 954, APPA SAHEB MARATHE MARG,
PRABHADEVI, MUMBAI, MAHARASHTRA- 025.

3. THE AUTHORIZED OFFICER,
KARUR VYSYA BANK LTD.
FIRST FLOOR, GAYATHRI TOWERS,
954, APPA SAHEB MARATHE MARG,

Page 1 of 6



WP No.2476 of 2024

PRABHADEVI, MUMBAI, MAHARASHTRA-025.

4. MINISTRY OF MICRO SMALL & MEDIUM ENTERPRISES,
REP BY SECRETARY, UDYOG BHAWAN,
RAFI MARG, NEW DELHI, DELHI-001.

5. UNION OF INDIA
REP BY THE SECRETARY,
DEPARTMENT OF FINANCIAL SERVICES,
MINISTRY OF FINANCE, 3RD FLOOR,
JEEVAN DEEP BUILDING, SANSAD MARG,
NEW DELHI- 001.

6. RESERVE BANK OF INDIA
REP BY THE EXECUTIVE DIRECTOR
SHAHID BHAGAT SINGH ROAD, FORT MUMBAI-001.

7. STATE OF TAMIL NADU
REP BY ITS SECRETARY
DEPARTMENT OF MICRO, SMALL & MEDIUM ENTERPRISES
FORT ST.GEORGE, CHENNAI-09. : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration to declare that the petitioner is an MSME within the meaning of the MSMED Act of 2006 and notification dated 29.05.2015 issued by the Central Government under Section 9 thereof, as also the circulars and guidelines issued by the Reserve Bank of India under Section 10 thereof, which provides for a mechanism of resolution of stress and that no proceedings for recovery under the SARFAESI act, RDB act or the IBC will lie, in as much as the MSMED Act being a Special law qua the aforesaid Acts, and a later law in relation to the RDB Act and the SARFAESI Act, its Provisions will prevail over the aforesaid enactments. (b). To declare that the MSME Act in so far as it has not created a special forum / tribunals to enforce the inter-se rights and obligations / remedies, which it has created in addition to those rights / obligations / remedies recognized by the common law the jurisdiction of the Civil Court is not ousted, for it is impossible to oust the jurisdiction of the Civil Court without providing for an alternative Forum / tribunal to adjudicate the inter se disputes between parties who are governed by the act. (c). to call for the entire proceedings at the hands of the Respondent no.3, Authorised officer of the karur Vysya Bank under Section 13 (2) of the SARFAESI and to issue a Writ in the nature of certiorari or any other appropriate writ or order or direction Calling for the entire records and proceedings at the hands of the Authorised officer, and to quash and set aside the same as being without jurisdiction, in violation of fundamental principles of judicial procedure and most importantly, being in



WP No.2476 of 2024

violation of Articles 14, 19 and 21 of the Constitution. (d). Directing Respondent no.1, Board of Directors of the karur Vysya Bank to Constitute a Committee for the resolution of the Stress of the Unit of the instant Petitioner, an MSME as Contemplated in Paragraph 2 of the notification dated 29.5.2015 issued under the MSMED Act, and further to direct the committee to resolve the Stress in accordance with the said notification and such other relevant notifications / regulations framed by the RBI. (e) Prohibition restraining and prohibiting the Respondent Bank from imitating or Continuing any measure for recovery under any other law and in particular, the SARFAESI Act, the Recovery of Debts and Bankruptcy Act.

For Petitioner : No appearance

For Respondents : Mr.P.Raghunathan,
for M/s.T.S.Gopalan
for respondents 1 and 3

Mr.R.Sanjay, CGSC
for respondents 4 and 5

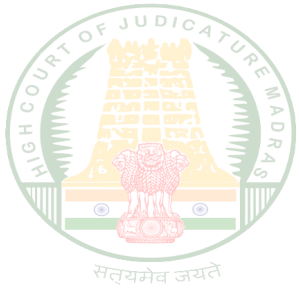
Mr.R.Veeramani,
Government Advocate,
for respondent No.7

No appearance for respondents 2 and 6

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

When the petition was taken up for consideration in the forenoon session, there was no representation for the petitioner. Hence, it was taken up in the afternoon session. Even in the second round, there is no representation for the petitioner.



WP No.2476 of 2024

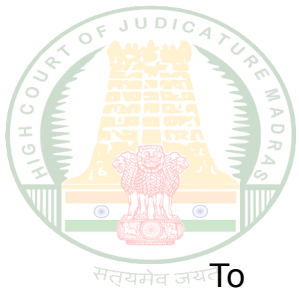
2. Hence, the petition stands dismissed for want of prosecution.

There will be no order as to costs. Consequently, WMP No.2706 of 2024 is closed.

3. WMP No.2705 of 2024 filed to permit the petitioners to file a single writ petition is allowed subject to payment of separate court fees within a period of two weeks from today.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN, J.)
27.07.2026

Index : Yes/No
Neutral Citation : Yes/No
tar



WP No.2476 of 2024

WEB COPY

To

1.MANAGING DIRECTOR & CEO
BOARD OF DIRECTORS
KARUR VYSYA BANK LTD.,
REGISTERED OFFICE AT NO.20,
ERODE ROAD, VADIVEL NAGAR,
L.N.S. KARUR, TAMIL NADU-639 002.

2. THE CHAIRPERSON,
COMMITTEES FOR STRESSED MICRO, SMALL & MEDIUM ENTERPRISES
(COSM), KARUR VYSYA BANK LTD., FIRST FLOOR,
GAYATHRI TOWERS, 954, APPA SAHEB MARATHE MARG,
PRABHADEVI, MUMBAI, MAHARASHTRA- 025.

3. THE AUTHORIZED OFFICER,
KARUR VYSYA BANK LTD.
FIRST FLOOR, GAYATHRI TOWERS,
954, APPA SAHEB MARATHE MARG,
PRABHADEVI, MUMBAI, MAHARASHTRA-025.

4.THE SECRETARY
MINISTRY OF MICRO SMALL & MEDIUM ENTERPRISES,
UDYOG BHAWAN, RAFI MARG, NEW DELHI, DELHI-001.

5. THE SECRETARY,
DEPARTMENT OF FINANCIAL SERVICES,
MINISTRY OF FINANCE, 3RD FLOOR,
JEEVAN DEEP BUILDING, SANSAD MARG,
NEW DELHI- 001.

6.THE EXECUTIVE DIRECTOR
RESERVE BANK OF INDIA
SHAHID BHAGAT SINGH ROAD, FORT MUMBAI-001.

7. THE SECRETARY
DEPARTMENT OF MICRO, SMALL & MEDIUM ENTERPRISES
FORT ST.GEORGE, CHENNAI-09.



WEB COPY



WP No.2476 of 2024

THE HON'BLE CHIEF JUSTICE
AND

G.ARUL MURUGAN, J.

(tar)

WP No.2476 of 2024

27.07.2026