

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.596 to 599 of 2016

M/s.Satyam Dewatering System
represented by Ankit Mathur
General Manager

... Petitioner in all WPs

Vs

1. The Micro and Small Enterprises Facilitation Council
represented by Regional Joint Director of
Industries and Commerce/Zonal Officer,
Chennai Region,
Thiru Vi.Ka.Indl.Estate,
Guindy, Chennai 600 032. ... 1st respondent in all WPs
2. M/s.Rukmani Infra Projects Pvt. Ltd.
Plot No.242, District Center,
Chandrasekharapur,
Bhubaneswar 751 016,
Odisha. ... 2nd Respondent in WP.596/2016
3. M/s.CISCONS Projects Pvt. Ltd.
No.604, Tirumala Shah Residency,
Yellareddy Guda,
Ameerpet,
Hyderabad 530 073. ... 2nd Respondent in WP.597/2016
4. M/s.N & N Constructions Pvt. Ltd.
No.9-25-3/7, Sai Sri Vihar Apartments,
CBM Compound,
Visakhapatnam,
Andhra Pradesh 530 007. ... 2nd Respondent in WP.598/2016
5. M/s.Punj Lloyd Ltd.
Corporate Office I,
No.78, Institutional Area,
Sector 32,
Gurgaon - 122 001. ... 2nd Respondent in WP.599/2016

Common Prayer:

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of mandamus to direct the first respondent to complete the conciliation proceedings initiated under Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006 on the reference made by the petitioner vide petitions dated 01.10.2015, 02.09.2015, 27.10.2015 and 25.04.2015 for the dispute against the second respondent within a stipulated time to be fixed by this Court.

For Petitioner : Mr.R.Murali in all WPs
For 1st Respondent : Mr.R.M.Muthukumar, GA
in all WPs

COMMON ORDER

By consent, all the writ petitions are taken up for final disposal.

2.The petitioner has filed these writ petitions seeking a direction to the first respondent to complete the conciliation proceedings initiated under Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006 on the reference made by the petitioner vide petitions dated 01.10.2015, 02.09.2015, 27.10.2015 and 25.04.2015 for the dispute against the second respondent within the period stipulated time by this Court.

3.According to the petitioner, the petitioner is a partnership firm and engaged in the business of providing dewatering systems at affordable prices. While so, the second respondent in all the writ petitions approached and requested the services of the petitioner in their respective plants. Accordingly, the petitioner submitted their proposals and the second respondent placed work orders. Pursuant to the same, the petitioner completed their projects and raised bills. But the second respondent failed to pay the same, which compelled the petitioner to issue legal notice to them. However, the second respondent neither sent reply nor paid any amount to the petitioner. Hence, the petitioner made petitions dated 01.10.2015, 02.09.2015, 27.10.2015 and 25.04.2015 under section 18 of the Micro, Small and Medium Enterprises Development Act 2006 to the first respondent and the same are pending without any progress. Therefore, the petitioner is before this Court.

4.Heard the learned counsel for the petitioner and the learned Government Advocate, who took notice for the first respondent.

5.Considering the facts and circumstances of the case, this court, without going into the issue involved herein, directs the first respondent to consider the petitions filed by the petitioners dated 01.10.2015, 02.09.2015, 27.10.2015 and 25.04.2015 and pass orders on merits and in accordance with law, after affording due opportunity of personal hearing to all the parties, within a period of six weeks from the date of receipt of a copy of this order.

6.All the writ petitions are disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Regional Joint Director of Industries/
Zonal Officer, Micro and Small Enterprises Facilitation
Council
Chennai Region,
Thiru Vi.Ka.Indl.Estate,
Guindy, Chennai 600 032.

+4 ccs to M/S.R.Murali Advocate sr.1569, 1570
+1 cc to Government Pleader sr.2221

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