



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD) No.8474 of 2015
and M.P.Nos.1 to 3 of 2015

Subburaj Spinning Mills Employees
Union Registered No.869/TVL
represented through President C.P.Ramesh
Palayamkottai, Tirunelveli

.. Petitioner

Vs.

- 1.The Management,
Subburaj Textile Mills Pvt Ltd.,
Madurai Road, Sankar Nagar,
Tirunelveli District
- 2.The Authorized Officer,
State Bank of India,
Stressed Asset Management Branch,
1112, Raja Plaza, Avinashi Road,
Coimbatore-641 037
- 3.State Bank of Travancore,
Represented by its Authorized Officer,
182E S.N.High Road, Tirunelveli-627 001
- 4.Authorized Officer,
IDBI Bank Limited,
No.3, West Marret Street, Madurai-625 002.
- 5.Deputy Commissioner of Labour,
Labour Department
Vannarapettai, Palayamkottai
Tirunelveli District
- 6.District Collector
Tirunelveli District,
Kokkirakulam, Tirunelveli-627 009
- 7.State Government of Tamilnadu
Represented through Secretary,
Labour Department, Fort St. George,
Chennai-600 009.

.. Respondents



Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent Nos.2,3 and 4 forbearing from the closing down of the 1st respondent Mill by taking physical possession through the 6th respondent and in the alternative to arrange for continuing to run the mills till the sale proceedings are completed by the respondents Nos.2,3 & 4.

For Petitioner : Mr.R.Baskaran
For Respondents : Mr.V.Meenakshi Sundaram for R2
Mr.S.Chandrasekar for R5 to R7
Government Advocate
Mr.J.Prabakaran for R4
No appearance for R1 & 3

ORDER

(Order of the Court was made by T.S.SIVAGNANAM, J.)

The writ petition has been filed at the instance of the Employees Union, who want to take over the Management of the default borrower, namely, the first respondent.

2. The learned counsel for the 2nd respondent, which is a lead Bank, submits that another Union filed a writ petition in W.P.No.16860/2015 for grant of such alternative relief to take over the management of the Company, which is dismissed as withdrawn on 20.04.2016. Further more, it is represented that the State Bank has taken possession of the Unit and some machineries were sold and thereafter, a compromise was arrived at with the borrower and the loan amount is in the process of settlement. Hence, no further orders are required in this matter, except to place on record the statement made by the learned counsel for the 2nd respondent Bank. Accordingly, this writ petition stands dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Authorized Officer,

State Bank of India, Stressed Asset Management Branch,
1112, Raja Plaza, Avinashi Road, Coimbatore-641 037

2.Authorised officer,

<https://hcservices.statebankofindia.co.in/> Travancore,

182E S.N.High Road, Tirunelveli -627 001



3. Authorized Officer,
IDBI Bank Limited, No. 3, West Marret Street, Madurai-625 002.

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4. Deputy Commissioner of Labour,
Labour Department
Vannarapettai, Palayamkottai
Tirunelveli District

5. District Collector
Tirunelveli District,
Kokkirakulam,
Tirunelveli -627 009

6. The Secretary,
Labour Department
Fort St. George, Chennai-600 009.

+One cc to Mr. J. Prabhakaran, Advocate, SR.No.51285

+One cc to Mr. D. Nallathambi, Advocate, SR.No.51290

RR
RL/9C/3P/SV/MMS/25.4.2017

ORDER MADE IN
W.P(MD) No. 8474 of 2015
and M.P. Nos. 1 to 3 of 2015

10.04.2017