



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 12.06.2017

CORAM

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

W.P.(MD)No.2722 of 2017  
and  
W.M.P.(MD)No.2253 of 2017

A.Raghuram :Petitioner

Vs.

1.The Conciliator,  
Micro, Small and Medium Enterprises,  
Development Act 2006,  
Madurai.

2.NIMMADHI COIR MATTRESSES Pvt., Ltd.,  
No.84 D, Melakkal Main Road,  
Kochadai, Madurai.

3.The Union of India,  
represented by the Chairman,  
MSE Secretary/Industries Commissioner  
and Director of Industries and Commerce,  
Chennai-600 028. : Respondents

(R.3 was impleaded as respondent  
by this Court order dated 12.06.2017)

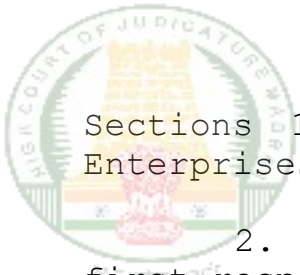
**Prayer:** This Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration to declare that the order passed in case No.2/MSEFC/2014 and passing an award on 12.02.2015 by the first respondent is illegal and not binding on the petitioner, since the provisions under Section 15,16, 17 and 18 read with rule 67 is ultra-virus illegal and the proceeding launched itself amount to running a parallel court and passing a decree in favour of their members.

For petitioner : Dr.S.N.Amirnath

**ORDER**

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

This petition has been filed challenging the award passed by the first respondent dated 12.02.2015 as illegal and not binding on the petitioner as there has been procedural violation committed by the first respondent as they had failed to follow



Sections 15, 16, 17 and 18 of the Micro, Small and Medium Enterprises, Development Act 2006 and rules framed thereunder.

2. The petitioner is aggrieved by the award passed by the first respondent and as against the said award, a writ petition is not maintainable, as the petitioner has to invoke the provisions of Arbitration and Conciliation Act 1996 challenging the said award.

3. With the above said liberty, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed. In the event of there is a delay in filing the petition before the concerned Court challenging the award, the period during which this writ petition was pending from February 2017 till the date of receipt of a certified copy of this order, shall be excluded for the purpose of computing limitation.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

The Chairman,  
The Union of India,  
MSE Secretary/Industries Commissioner  
and Director of Industries and Commerce,  
Chennai-600 028.

+1cc to S.N.Amarnath, Advocate, SR.59840

W.P. (MD) No.2722 of 2017

and

W.M.P. (MD) No.2253 of 2017

12.06.2017

SSL

KK/JC/SAR3-20.06.2017-2P-3C