

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2020

C O R A M

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.23559 of 2005

&

WMP.No.25713 of 2005

Salem Textiles Limited,
represented by its Managing Director,
R.Prabakaran, Selliampalayam,
Attur Taluk, Salem District.

... Petitioner

Vs.

1. The Commissioner of Central Excise,
No.1 Foulks Compound,
Anai Road, Salem - 1.
2. The Assistant Commissioner of Central Excise,
Salem II Division, No.2 Valmigi Street,
Subramaniya Nagar, Salem.
3. The Superintendent of Central Excise,
Attur Range, Attur - 635 102.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorartified Mandamus, call for the records on the files of the second respondent herein in C.No.IV/16/10/2004-Arrears, dated 12.07.2005, and quashing the proceedings of the second respondent herein in C.No.IV/16/10/2004-Arrears, dated 12.07.2005, while directing the respondents herein to forbear from instituting any proceeding for execution, distress or the like against any of the properties of the petitioners herein without obtaining the prior sanction for institution of such proceeding, as required by Section 22 of the Sick Industrial Companies (Special Provisions) Act, 1985, from the Board for Industrial and Financial Reconstruction.

For Petitioner : Mr.N.Prasad

For Respondents : M/s. Hema Muralikrishnan,
Standing Counsel

O R D E R

The writ petitioner has filed an application for settling the dispute under the Dispute Resolution Scheme 2019. In view of the same, the writ petition is dismissed with liberty to the petitioner to restore the same in case the application filed by the petitioner under the scheme is rejected. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Central Excise,
No.1 Foulks Compound,
Anai Road, Salem - 1.
2. The Assistant Commissioner of Central Excise,
Salem II Division, No.2 Valmigi Street,
Subramaniya Nagar, Salem.
3. The Superintendent of Central Excise,
Attur Range, Attur - 635 102.

+1cc to Mrs.Hema Muralikrishnan, Advocate, SR.No.5688.

सत्यमेव जयते

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VG II(CO)
CSR: 02/03/2020

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