



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

C O R A M

THE HON'BLE MS.JUSTICE V.M.VELUMANI

W.P.No.5906 of 2022  
and  
W.M.P.No.6002 of 2022

Sri.Ku.Balachandran  
Proprietor  
M/S.AI TECH Engineering Works,  
No.322/15/B1, Trichy Puduckottai Road,  
Mandaiyur, Kulathur Taluk,  
Pudukottai - 622 515.

...Petitioner

Vs

1. The Joint Development Commissioner,  
Office of the Development Commissioner,  
Ministry of Micro Small and Medium Enterprises,  
Government of India,  
New Delhi.
2. The Principal Secretary / Industries Commissioner and  
Director of Industries and Commerce,  
2<sup>nd</sup> and 3<sup>rd</sup> Floor,  
SIDCO Corporate Office Building,  
Thiru-vi-ka Industrial Estate,  
Guindy, Chennai - 600 032.
3. The Secretary to Government,  
Department of Micro, Small and Medium Enterprises,  
St.George Fort,  
Chennai - 600 009.
4. The District Collector,  
Office of the District Collector,  
Trichy,Trichy District.
5. The Authorised Officer,  
Canara Bank,  
Trichy Cantonment Branch,  
No.21, Sri Complex,  
Mudurai Road,  
Trichy - 620 008.

...Respondents



Prayer Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents 1 to 3 to formulate, a revival and rehabilitation plan in pursuant to the proceedings issued by the 3<sup>rd</sup> respondent vide D.O.Letter No.37/Secy.MSME./2018 dated 13.11.2018, enabling the petitioner to discharge the liability from the 5<sup>th</sup> respondent bank, and consequently direct the 5<sup>th</sup> respondent not to initiate any legal proceedings under SARFAESI Act against the petitioner in pursuant to the proceedings issued by the 3<sup>rd</sup> respondent vide letter No.4/Secy/MSME/2022 dated 22.02.2022, till Government Order is passed.

For Petitioner : Mr.B.Balavijayan

For R2 to R4 : Mr.S.Arumugam  
Government Advocate

#### ORDER

This Writ Petition is filed seeking for a direction to the respondents 1 to 3, to formulate a revival and rehabilitation plan in pursuant to the proceedings issued by the 3<sup>rd</sup> respondent dated 13.11.2018, enabling the petitioner to discharge the liability from the 5<sup>th</sup> respondent bank, and consequently for a direction to the 5<sup>th</sup> respondent not to initiate any legal proceedings under SARFAESI Act against the petitioner in pursuant to the proceedings issued by the 3<sup>rd</sup> respondent dated 22.02.2022, till the Government Order is passed.

2.When the matter is taken up for hearing, the learned counsel appearing for the petitioner produced a copy of the Government Order in G.O.(Rt.) No.62, Industries (MIF.2) Department, dated 23.03.2022 and submitted that the Government has passed the order and therefore, nothing survives in the present Writ Petition.

3.Recording the submission made by the learned counsel appearing for the petitioner, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To:

1. The Joint Development Commissioner,  
Office of the Development Commissioner,  
Ministry of Micro Small and Medium Enterprises,  
Government of India,  
New Delhi.
2. The Principal Secretary / Industries Commissioner and  
Director of Industries and Commerce,  
2<sup>nd</sup> and 3<sup>rd</sup> Floor,  
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+1cc to Mr.B.Ramprabu, Advocate, S.R.No.19934

+1cc to the Government Pleader, S.R.No.20327

W.P.No.5906 of 2022

GPL(CO)  
RGA(18/04/2022)