



W.P. No.25250 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P. No.25250 of 2022

MSE Industries

Registered Partnership Firm Rep. by
Mr.Mahesh Kumar

... Petitioner

versus

- 1.Chief Manager/Authorized Officer
Canara Bank, ARM Branch
(Asset Recovery Management) West
T.V.Samy Road, R.S.Puram
Coimbatore - 641 002.
- 2.The Secretary to Government
Micro Small and Medium Enterprises (MSME)
Fort Saint George Chennai - 9.
- 3.Chairman and Managing Director
Tamil Nadu Industrial Investment Cooperation (TIIC)
No.692 Anna Salai
Nandanam Chennai - 600 035.
- 4.General Manager
District Industries Centre(DIC)
Coimbatore 641 001.



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5.P.Kullasamy

6.K.Thangamani

7.K.Dharma Prakash

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 2 to 4 to implement the Go.Ms.No.62 of Industries(MIF2) dated 23.03.2022 so as to clear the dues of the petitioner to the 1st respondent bank by getting his sale nullify by reviving the MSME unit of the petitioner forthwith.

For the Petitioner :: Mr.T.N.Rajagopalan
for Mr.M.V.Venkataseshan

For the Respondents :: Ms.R.Anitha,
Special Government Pleader,
for the second respondent

Mr.P.Raghunathan,
for M/s.T.S.Gopalan & Co.
for the first respondent

Mr.Md. Sulaiman Basha,
for the third respondent

Mr.C.Prakasam,
for 7th respondent



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ORDER

(Made by the Hon'ble Acting Chief Justice)

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Heard Mr.T.N.Rajagopalan for the petitioner, Ms.R.Anitha, learned Special Government Pleader for the second respondent, Mr.P.Raghunathan, for M/s.T.S.Gopalan and Co. for the first respondent, Mr.Md.Sulaiman Basha, for the third respondent and Mr.C.Prakasam, for the seventh respondent.

2. It was brought to our notice that the petitioner has already approached the Debts Recovery Tribunal, Coimbatore, by filing proceeding in S.A.No.607 of 2022. The said proceeding is stated to be pending consideration.

3. When e-auction was held on 09.03.2022, the property was sold and subsequently, sale deed has also been executed on 01.06.2022. Therefore, this court is not inclined to entertain the writ petition. It is made clear that the petitioner has to workout his remedy before the Debts Recovery Tribunal, Coimbatore, where



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S.A.No.607 of 2022 is pending. The writ petition is, therefore, dismissed. There will be no order as to costs. Consequently, WMP No.25203 of 2022 is closed.

4. It is stated that S.A.No.607 of 2022 is posted for hearing on 28.11.2022. The Debts Recovery Tribunal, Coimbatore, is directed to take up the matter expeditiously, within a period of two weeks from the date of receipt of a copy of this order.

(T.R., ACJ.) (D.K.K., J.)
12.10.2022

Index: Yes/No
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To

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T.RAJA, ACJ,
and
D.KRISHNAKUMAR, J.

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