



WEB COPY



W.P. No. 8926 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8926 of 2023

and

W.M.P. No. 9065 of 2023

Arpana Packaging Private Limited,
Rep. by its Managing Director, Mr. S.Nanthikeswaran,
having its Registered Office at
131, Ceebros Court,
Habibullah Road,
T.Nagar,
Chennai – 600 017.

... Petitioner

-VS-

1. Micro and Small Enterprises Facilitation Council, Puducherry,
Government of Puducherry,
Directorate of Industries & Commerce,
Rep. by Assistant Director – III,
Puducherry – 605 009.

2. Regma Ceramics Limited,
Rep. by its Managing Director,
Mr. Ramanuja Reddiar Kumar,
Sellur Village,
Agalankannu Road,
Thirunallar,
Karaikal,
Puducherry – 609 607.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to



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forthwith and fix a hearing Claim Petition No./Case No. 3444/Ind&Com/Unit-III/B7/2020 and expeditiously decide and pass suitable orders in the matter in terms of Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006, within an expeditious time frame fixed by this Court.

For Petitioner : Mr. Rahul Balaji

For Respondents : Mr. M.Nirmal Kumar,
Government Advocate (for R1)

Mr. S.Mugesh
for Mr. S.Giridharan (for R2)

ORDER

Heard Mr. Rahul Balaji, Learned Counsel for the Petitioner, Mr. M.Nirmal Kumar, Learned Government Advocate appearing for the First Respondent and Mr. S.Mugesh, Learned Counsel appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First Respondent to forthwith fix a hearing in Claim Petition No./Case No. 3444/Ind&Com/Unit-III/B7/2020 and expeditiously decide the matter in terms of Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006, within a time limit that may be fixed by the Court.



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3. Learned Counsel appearing for the First Respondent, on instructions, states that the matter would be included in the list of cases to be heard on 21.11.2023 before the First Respondent and that notice of hearing would be sent to the parties for their appearance on that date. In view of the same, Learned Counsel for the Second Respondent undertakes that counter-statement of the Second Respondent would be filed by 08.11.2023 before the First Respondent after serving its copy to Learned Counsel for the Petitioner.

4. In the meanwhile, it is agreed by Learned Counsel for the Petitioner and Learned Counsel for the Second Respondent that an effort could be made to amicably resolve the dispute between the parties and that the matter may be referred to the Mediation Centre attached to the District Court, Puducherry. The contesting parties along with their respective Counsel shall appear before the Mediation Centre attached to the District Court, Puducherry on 09.11.2023 and on the subsequent dates to which it is adjourned. It shall be ensured that there is day to day sitting showing progress of the case and the report of its outcome shall be sent to the First Respondent, who shall thereafter decide further course of action.



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In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy on 08.11.2023.

vjt

To

The Assistant Director – III,
Micro and Small Enterprises Facilitation Council, Puducherry,
Government of Puducherry,
Directorate of Industries & Commerce,
Puducherry – 605 009.



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P.D. AUDIKESAVALU, J.

vjt

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