



W.A.No.1304 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.1304 of 2023

Perundurai Leather Industries Eco
Security Private Limited (PLIES),
through its Managing Director
Having its office at
450, Bhavani Main Road,
B.P. Agraharam,
Erode-638 005
Tamil Nadu

.. Appellant

Vs.

1.Union of India,
through its Secretary,
Department of Industrial Policy & Promotion,
Ministry of Commerce & Industry,
Udyog Bhawan,
New Delhi-110 011.

2.Central Leather Research Institute,
through its Director,
Sardar Patel Road, Adyar,
New Indian Institute of Technology,
Adyar, Chennai – 600 020.

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3. Government of Tamil Nadu,
through its Secretary,
Micro, Small and Medium Enterprises Department,
Department of Industries & Commerce,
SIDCO Corporate Office Building,
Guindy Industrial Estate,
Chennai-600 032.

.. Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 23.03.2022 passed in W.P.No.12640 of 2021.

For the Appellant : Mr. John Joseph

For the Respondents : Mrs. R. Anitha
Spl. Government Pleader
for respondent No.3

: No Appearance
for respondents 1 and 2

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr. John Joseph, learned counsel for the appellant and Mrs. R. Anitha, learned Special Government Pleader for the third respondent.



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2. The writ petition was filed by the appellant seeking direction against the respondents permitting the appellant to use the amount sanctioned to it for upgradation of its Common Effluent Treatment Plant project.

3. Learned counsel for the appellant submits that the appellant was not aware of the filing of the Original Application by the bank before the Debts Recovery Tribunal for recovery and the same having been decreed in the year 2015. The appellant came to know about the decree in the year 2020. The appellant had also filed review application. The appellant is ready to pay Rs.2.00 crore. The appellant be allowed to utilise the amount for upgradation.

4. It is not disputed that today the decree stands against the present appellant for payment of dues. The appellant has also mortgaged the property with Axis Bank. The claim is due and payable to the bank and the liability is fastened on the present appellant. In view of above, the learned Single Judge has not committed any error while passing the impugned order.



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5. The writ appeal, as such, is disposed of. There will be no order as to costs. Consequently, C.M.P.No.12948 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

04.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

- 1.The Secretary,
Union of India,
Department of Industrial Policy & Promotion,
Ministry of Commerce & Industry,
Udyog Bhawan, New Delhi-110 011.
- 2.The Director,
Central Leather Research Institute,
Sardar Patel Road, Adyar,
New Indian Institute of Technology,
Adyar, Chennai – 600 020.
- 3.The Secretary,
Government of Tamil Nadu,
Micro, Small and Medium Enterprises Department,
Department of Industries & Commerce,
SIDCO Corporate Office Building,
Guindy Industrial Estate,
Chennai-600 032.



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