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W.P.No. 2837 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No. 2837 of 2023

M/s. Adarsh Knitwear P. Ltd.,
Represented by its Manager,
Shri N. Govindaraj
S/o. Narayanasamy.
74/22, Nehru Nagar, Dharapuram Road,
Tirupur
Having office at
1/H-9, Thanneer Panthal Colony,
Anupparpalayam Po., Avinashi Road,
Tirupur 641 652.

... Petitioner

versus

1. The Deputy Director,
O/o. The Regional Office of the Textile
Commissioner,
Chinthamani Co-operative Super Market
Complex,
Mettupalayam Road, R.S. Puram (PO),
Coimbatore – 641002.
2. The Assistant Director,
Ministry of Textiles,
Office of Textile Commissioner,
Post Bag No. 11500,
Mumbai 400020.



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3. The Chief Manager,
M/s. Karnataka Bank Ltd.,
Tirupur Main Branch,
184, Eswaran Koil Street,
Tirupur 641604

4. Shri K. Jaganathan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus by calling for the entire records in pursuant to the impugned communication of 2nd respondent in F.No.5(299) Spl.JIT/ Adarsh Knitwear Pvt, Ltd./2021/TUFS/35 dated 14.07.2021 and quash the same and consequently direct the first respondent to release the unreleased subsidy of Rs.2,05,72,565, in the light of recommendations of 4th respondent to pass such further or other order.

For the Petitioner : Mr. R. Thirunavukkarasu

For the Respondents : Ms. Geetha Thamarai Selvan
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a certiorarified mandamus seeking interference with the inter-department communication dated 14.07.2021 between the second respondent and the first respondent.

2. In the said inter department Communication, the second respondent has finally stated as follows:



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" You are therefore requested to clarify the above said points along with required documents and revised the format – F for the eligible basic cost of spinning machinery @ 2 % IR to this office at earliest, so as to enable this office to take appropriate action in this regard."

3. It is thus seen that the first and second respondents are still in the process of clarifying the various aspects relating to the petitioner herein. A final order will certainly be communicated to the petitioner herein. That order can be questioned by the petitioner in manner known to law. This Court cannot enter into a discussion in a communication between two official departments and thrust a third view on them and the manner in which they should take a decision. That would be extremely inappropriate. Therefore, even though the writ petition is dismissed let me state that the merits are not examined. The rights of the petitioner are not examined but the petitioner may await final orders to be passed and thereafter, always approach the appropriate authorities for redressal of any grievances thereof. The petitioner is also at liberty to address independently the first and second respondents calling upon them to pass final orders at the earliest.

4. Noting as above, the writ petition stands dismissed. No



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costs. Consequently, connected W.M.P.Nos. 2954 and 2957 of 2023 are closed.

03.02.2023

Index: Yes/no
mrn

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C.V.KARTHIKEYAN, J.

(mrn)

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