



WEB COPY



W.P. Nos. 29646 and 29657 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

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

W.P. Nos. 29646 and 29657 of 2023

W.P. No. 29646 of 2023:-

Solar Designs Private Limited,
Represented by its Managing Director,
A.A.K Aapath Sakaayem,
No. 1, A Wing,
Third Floor,
Parsn Manere,
602, Anna Salai,
Chennai – 600006.

... Petitioner

-VS-

1. Micro Small Enterprises Facilitation Council,
Chennai Region,
Represented by its Secretary,
A-30, Thiru Vi Ka Industrial Estate,
Guindy, Chennai – 600032.

2. The Chairman & Director Finance
Numaligarh Refinery Ltd.,
Registered office at
122A, G.S. Road,
Christianbasti,
Guwahati – 781005.

E-Mail ID maduchanda.adhikari@nrl.co.in

... Respondents

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



W.P. Nos. 29646 and 29657 of 2023

complete conciliation proceedings under Section 18(3) of the MSEMD Act, 2008 in Case No MSEFC/CR/280/2022, pending on its file, within a time frame to be fixed by this Court.

W.P. No. 29657 of 2023:-

Solar Designs Private Limited,
Represented by its Managing Director,
A.A.K Aapath Sakaayem,
No. 1, A Wing,
Third Floor,
Parsn Manere,
602, Anna Salai,
Chennai – 600006.

... Petitioner

-VS-

1. Micro Small Enterprises Facilitation Council,
Chennai Region,
Represented by its Secretary,
A-30, Thiru Vi Ka Industrial Estate,
Guindy, Chennai – 600032.

2. The Chairman & The Chief Engineer,
Paradip Port Trust,
First Floor, Administrative Building,
Paradip Port Trust,
Paradip – Orissa – 754142.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the First Respondent to complete arbitration proceedings under Section 18(3) of the MSEMD Act, 2008 in Case No MSEFC/CR/388/2022, pending on its file, within a time frame to be fixed by this Court.



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W.P. Nos. 29646 and 29657 of 2023

For Petitioner
in both W.Ps

: Ms. Gopika Nambiar

For Respondents
in both W.Ps

: Mr. S.Yashwanth,
Additional Government Pleader (for R1)

COMMON ORDER

Heard Ms. Gopika Nambiar, Learned Counsel for the Petitioner and Mr. S.Yashwanth, Learned Additional Government Pleader appearing for the First Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Second Respondents, notice to it is dispensed with.

3. The Petitioner in these Writ Petitions contends that though the Petitioner had initiated proceedings under Section 18(3) of the Micro, Small and Medium Enterprises Development Act, 2006, in Case Nos. MSEFC/CR/280/2022 and MSEFC/CR/388/2022 before the First Respondent, specific date of hearing has not been fixed in the matter.



W.P. Nos. 29646 and 29657 of 2023

WEB COPY

4. Learned Additional Government Pleader appearing for the First Respondent, on instructions, states that the aforesaid cases have been posted on 28.10.2023 and he has filed a memo dated 16.10.2023 to that effect and Learned Counsel for the Petitioner also acknowledges receipt of its copy. It is further stated that notice would be sent to the concerned parties for their appearance on the said date of hearing before the First Respondent.

5. In view of the aforesaid action taken, nothing remains for further consideration in these Writ Petitions.

In fine, these Writ Petitions are disposed. No costs.

16.10.2023

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Index: Yes/No

Note: Issue order copy by 27.10.2023.



W.P. Nos. 29646 and 29657 of 2023

To

WEB COPY

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Registered office at
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WEB COPY



W.P. Nos. 29646 and 29657 of 2023

P.D. AUDIKESAVALU, J.

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W.P. Nos. 29646 and 29657 of 2023

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