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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.9381 of 2014

and

M.P(MD)Nos.1 & 2 of 2014

M/s.S.V.Krishnamaraja Cotton Merchant
Rep Thro its Partner V.K.Arjuna Raja.

... Petitioner

- Vs. -

1. The Ministry of Finance,
Department of Financial Services,
Board For Industrial and Financial Reconstruction,
Jawahar Vyapar Bhavan,
1, Tolstoy Marg, New Delhi.
2. The Chief Operating Officer,
Edelweis Assets Reconstruction Company Limited,
Edleweiss House, CST Road,
Kalina, Mumbai- 098.
3. R.Prabakaran,
Managing Director- Salem Textiles Ltd.,
Selliayampalayam,
Athoor, Salem District – 108.

... Respondents



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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified mandamus to call for the records of the 1st Respondent in Case No. 252 of 98, M/s. Salem Textiles limited summary record of the proceedings of the hearing held on 02.12.2013 and direct the 1st Respondent to direct the 2nd Respondent to adjudicate the claim of the petitioner's petition, dated 31.12.2007 under Section 16(2) and 21 of the sick industries and BIFR Act within the period stipulated by this Court.

For Petitioner : Mr.Haja Mohideen

For R-1 : Mr.S.Jeyasingh,
Senior Panel Counsel

For R-2 : No appearance

ORDER

This writ petition is filed challenging the order passed by the Tribunal in Case No. 252 of 98.

2. Today, when the matter is taken up for hearing, Mr.S.Jeyasingh, learned Senior Panel Counsel appearing for the 1st respondent submitted that there



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is no Tribunal as on date. Therefore, whatever the issues are to be adjudicated before the 2nd respondent, the petitioner is directed to file afresh representation before the 2nd respondent. The 2nd respondent shall consider the same and pass orders, in accordance with law. The representation shall be considered within a period of four months from the date of receipt of the petitioner's representation.

3. With the above directions, this Writ Petition is disposed of. No Costs. Consequently, connected petitions are closed.

Index : Yes / No
Internet : Yes
NCC : Yes / No
ksa

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To

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S.SRIMATHY, J

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