



W.P.No.16356 of 2025

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IN THE HIGH COURT AT JUDICATURE AT MADRAS

DATED: 02.06.2025

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.16356 of 2025

M/s. EGP Sale Corporation,
Through its proprietor,
Mr.Mukesh Arora
92-F/1, DLF Industrial Area, Phase-1
Faridabad – 121003.

...Petitioner

Vs.

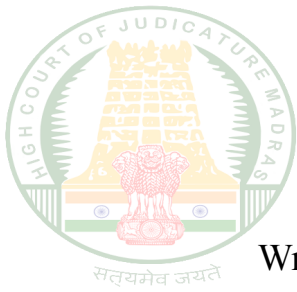
1. The District Collector,
Collectorate of Chennai,
Office of the Collector,
Singaravellar Maligai, Chennai.

2. M/s Techknoweld Alloys Overseas Pvt. Ltd,
114, Developed plots Indus, Estate,
Perungudi, Chennai – 600 096.

3. Mrs. Srividya Balaji,
Director, M/s Technoweld Alloys Overseas Pvt. Ltd,
114, Developed plots Indus, Estate,
Perungudi, Chennai – 600 096.

4. Mr.Balaji Venkatesh Vishwanathan,
Director, M/s Techknoweld Alloys Overseas Pvt. Ltd,
114, Developed plots Indus, Estate,
Perungudi, Chennai – 600 96.

...Respondents



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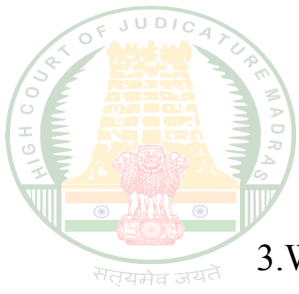
Writ petition is filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the first respondent to consider the representation dated 01.08.2024 of the petitioner and to execute the award dated 10.11.2022 of the HMSEFC, Panchkula under Micro, Small and Medium Enterprises Development Act, 2006. (A quasi-Judicial body constituted by Haryana Government under the Micro Small and Medium Enterprises Development Act, 2006) and pass orders.

For Petitioner	: Mr.N.Devi
For Respondents	: Mr.Meera Arumugam Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Mr.N.R.R.Arun Natarajan, Special Government Pleader takes notice for the respondents.

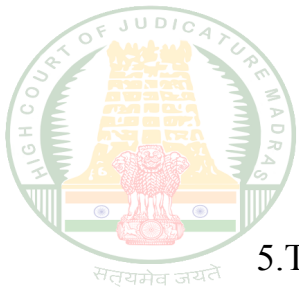


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3. Writ petition is filed for a writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 01.08.2024 and further direct the first respondent to execute the award dated 10.11.2022 of the HMSEFC, Panchkula under Micro, Small and Medium Enterprises Development Act, 2006) and pass orders.

4. The petitioner is a proprietorship concern engaged in the business of providing service of machines and spare parts and registered under the MSMED Act 2006, as a Micro Enterprise and supplying machines. The petitioner supplied spare parts to the second respondent company, based on orders placed by them. The second respondent failed to issue Form-C against the supplies made by the petitioner in the year 2016 and 2017, for a sum of Rs.9,20,406/-, due to which the petitioner was constrained to pay penalty of Rs.5,000/- to the Government of Haryana, for not filing the tax return in due time. However, as far as the second respondent is concerned, inspite of receiving the materials, it did not pay the amount towards the supply of materials.

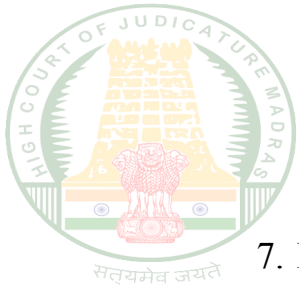


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5. The petitioner states that an outstanding amount of Rs.11,42,166/- was due and payable by the second respondent, and therefore, the petitioner filed a claim petition before the HMSEFC, Panchkula. The claim was referred to Arbitration. The council, after enquiry passed a final award on 10.11.2022, in favour of the petitioner. As the respondents 2 to 4 did not prefer any appeal against the said award, the petitioner sent a representation to the first respondent on 01.08.2024, seeking execution of the final award. However, the first respondent did not take any action. Therefore, the petitioner was constrained to file the above writ petition for the aforesaid relief.

6. The learned counsel for the petitioner submitted that even though several grounds were raised in support of the writ petition, the prayer is limited to a direction to the first respondent to dispose of the petitioner's representation dated 01.08.2024, within a time frame fixed by this Court.



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7. In view of the limited prayer sought for by the petitioner's counsel , a direction is issued to the first respondent to consider and pass orders on the petitioner's representation dated 01.08.2024, on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

8. Accordingly, this writ petition is disposed of. However, there shall be no order as to costs.

02.06.2025

Index:Yes/No

Speaking order:Yes/No

Neutral Citation:Yes/No



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N.MALA,J.

smn

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