



WEB COPY

WA No. 1599 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 02-06-2025**

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU  
AND  
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A No. 1599 of 2025  
and C.M.P.No.11968 of 2025**

1. The Industries Commissioner And  
Director Of Industries And Commerce  
SIDCO Corporate Office Building,  
Guindy Industrial Estate,  
Chennai - 600 032.

Appellant(s)

Vs

1. M/s. GDR Polymer Industries  
Rep By Its Partner D.J.Kennady,  
No.4/109,Vijayaramapuram,  
Sathankulam, Thoothukkudi - 628704

Respondent(s)

**PRAYER**

To set aside the Order dated 05.08.2024 passed in W.P.No. 17570 of 2024 by  
this Hon'ble Court.



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For Appellant : Mrs.E.Renganayaki  
Additional Government Pleader

**JUDGMENT**

**(Order of the Court was made by J.NISHA BANU, J.)**

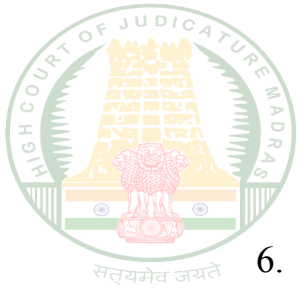
The present Writ Appeal is filed challenging the order dated 05.08.2024 in W.P.No.17570 of 2024 passed by this Court.

2. The appeal is taken up for final disposal at the admission stage itself, since the disposal of this case will not affect the respondent in any manner.

3. The respondent is the appellant before this Court.

4. The Writ Petition was instituted to quash the rejection order in Rc.No.25680/LC2/2023, dated 08.04.2024 and consequently, to direct the respondent to pay the compensation seeking relief package to the petitioner's unit without insisting the registration of EM PART II or UAM as on the cut off date of 01.01.2019.

5. Aggrieved by the order of the Writ Court allowing the writ petition, the present appeal has been filed.



6. The learned Additional Government Pleader for the appellant would submit that the learned single Judge failed to appreciate that the respondent/petitioner, M/s.GDR Polymer Industries was not having any valid registration prior to 22.03.2023 to classify and recognize them as MSME since they have registered their enterprise in the UDYAM portal only on 22.03.2023, which is factually after the Government Order dated 15.03.2023 and therefore, the same is unsustainable in law.

7. The learned Additional Government Pleader for the appellant further submits that the learned single Judge failed to see that an enterprise/MSME, who does not have valid UDYAM registration certificate on the date of G.O. shall not be entitled to avail the benefits announced by the Government.

8. Heard the learned Additional Government Pleader appearing for the appellant and perused the materials on record.

9. The writ Court considered the facts and given a finding that the petitioner had applied and availed as an eligible MSME loan unit during the year 2017 and EM Part II has come into existence way back during the year 2014. They did not hold EM Part I registration details. Further, there is no contact or communication from the Department till date and even while applying for UDYAM in the Government website, their business credentials



already pre-existing with namely commencement date 11.03.2011. Further, as per memorandum (Part II) Date on MSME Sector published by Development Commissioner (Micro, Small and Medium Enterprises) Ministry of Micro, Small and Medium Enterprises, New Delhi has laid down details as per the provisions of the Act MSME's file entrepreneurs memorandum (Part I) at District Industries Centres (DICs) filing of EM-II is discretionary for Micro, Small and Medium Enterprises engaged in both manufacturing and services. Hence, the Writ Court quashed the impugned order and directed the respondent to allow the claim made by the petitioner and disburse the compensation within a period of six weeks from the date of receipt of a copy of the order.

10. The Writ Court has rightly set aside the impugned order. We do not find any infirmity or illegality in the said findings of the learned single Judge, warranting interference by this Court.

11. Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**(J. NISHA BANU, J.) (M. JOTHIRAMAN, J.)**

**02-06-2025**

ASI



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To

M/s. GDR Polymer Industries  
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