



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 28299 of 2025

P.S.Textiles

Rep. By Proprietor, S Balasubramanian,
No.60/277 Bharathi Nagar,
Ammapalayam, Anupparpalayam (Post),
Thirupur - 641 652.

Petitioner(s)

Vs

1. The Chairperson

Micro And Small Enterprises Facilitation Council
(MSEFC),
Office Of The Industries Commissioner And
Director Of Industries And Commerce, Guindy,
Chennai 600 032.

2.The Secretary

Regional Micro & Small Enterprises Facilitaiton
Council, District Industries Centre, Coimbatore.

3.M/s. SAANVI INDUSTRIES (SAANVI
CLOTHING PVT LTD),

Rep By it Proprietor Mr. Jinal Dhiren Rathore,
Plot No. 450 Veerabhadrapalaya, Vasundhara
Layout Near Kcop Circle,
Doddaballapur, Neelamangala Road,
Doddaballapura, Bangalore 561203.

Respondent(s)



Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue Writ of Mandamus, directing the respondents 1 and 2 to amend the MSME order No. MSEFC/CBER/212/2021, dated 11.11.2022, by substituting the 3rd respondent's correct address in Bangalore, in place of the residential address in Mumbai, based on Petitioner's representation dated 27.05.2025, within a stipulated time as fixed by this Hon'ble Court.

For Petitioner(s): Mr.V.Anandhamoorthy

For Respondent(s): Mr.V.Manoharan, AGP
for R1 and R2

ORDER

The above writ petition is filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to amend the MSME order No. MSEFC/CBER/212/2021 dated 11.11.2022, by substituting the 3rd respondent's correct address in Bangalore, in place of the residential address Mumbai, based on petitioner's representation dated 27.05.2025, within a stipulated time as fixed by this Court.

2. The petitioner is a registered Small Enterprise under the MSMED Act, 2006. The petitioner is engaged in manufacture and export of knitted garments.



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The petitioner states that it supplied textile fabrics to the 3rd respondent between 01.11.2017 and 22.10.2018 under 21 invoices, for a total value of Rs.60,57,800/-. The petitioner states that out of the said amount, Rs.18,90,000/- remained unpaid despite the petitioner's repeated requests. As the 3rd respondent failed to pay the amount of Rs.18,90,000/- to the petitioner, the petitioner filed an application in Application No. TN28A0071519/M/00091, before the Micro and Small Enterprises Facilitation Council (1st and 2nd respondents herein) under Section 18(1) of the MSMED Act. The petitioner states that the Council after hearing, passed a final order on 11.11.2022, directing the 3rd respondent to pay the principal amount of Rs.18,90,000/- along with compound interest as per Sections 15 and 16 of the Act. The petitioner states that, when he received the final order, he was shocked to note that in the final order, the 3rd respondent's residential address in Mumbai was mentioned instead of his business address in Bangalore, to which address the summons and notices were served. The petitioner therefore submitted repeated representations to the 1st respondent requesting him to correct the errors. The petitioner states that due to incorrect address, the petitioner was prevented from initiating execution proceedings, in



Bangalore, rendering the award ineffective. The petitioner therefore left with no other remedy filed the above writ petition for the aforesaid relief.

3. I heard both the learned counsels and perused the materials placed on record. By consent of both counsels, the writ petition is disposed of at the admission stage.

4. It is seen from the summons, issued by the 1st respondent in the section 18[1] proceedings that the business address of the 3rd respondent in Bangalore was mentioned and the summons served to the aforesaid address was received by the 3rd respondent. Pursuant to the receipt of the summons, the 3rd respondent appeared in the Council meeting held on 21.09.2022, however, the 3rd respondent neither filed counter nor appeared for the subsequent hearings, as is evident from the order dated 11.11.2022 of the 1st respondent. Be that as it may, the fact remains that the 3rd respondent pursuant to the summons issued to his Bombay address, appeared for hearing on 21.09.2022. Therefore, the petitioner is justified in submitting that the residential address mentioned in the



final order needs to be changed to the business address in Bangalore, as it will facilitate the petitioner to effectively initiate execution proceedings.

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5. Under the facts and circumstances of the case, in view of the fact that the petitioner cannot file the execution proceedings in Bangalore, based on the address of the 3rd respondent given in the final award, I am inclined to issue direction to the respondents 1 and 2, to amend the MSME order dated 11.11.2022, by rectifying the 3rd respondent's address, as stated in the summons dated 26.10.2022, within a period of four(4) weeks from the date of receipt of a copy of this order.

Writ petition is accordingly allowed. However, there shall be no order as to costs.

dsn

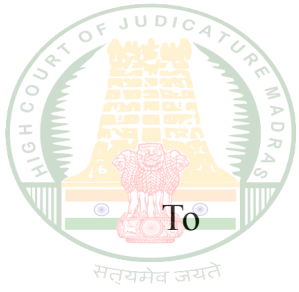
13-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Chairperson

Micro And Small Enterprises
Facilitation Council , Office Of The
Industries Commissioner And
Director Of Industries And Commerce,
Guindy, Chennai 600 032.

2. The Secretary

Regional Micro Small Enterprises
Facilitaiton Council, District
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N.MALA J.

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