



W.P.(MD)No.1872 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.1872 of 2021
and W.M.P.(MD)No.1614 of 2021

K.Satheeshkumar

... Petitioner

Vs.

- 1.The Managing Director,
M/s.Veesons Energy Systems Pvt. Ltd.,
C-14/2, Industrial Estate,
Thiruchirapalli 620015.
- 2.Mr.Seernivasan,
Interim Resoulution Professional,
No.188/87, 2nd Floor, Evalappan Mansion,
Habibullah Road, T.Nagar,
Chennai 600017.
- 3.R.Raghavendran,
Interim Resolution Professional,
Flat No.3, Dhruvatara Apartments,
241, Dr.Rajendra Prasad Road,
Tatabad, Coimbatore 641 012.



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4.The Insolvency and Bankruptcy Board of India,
2nd Floor, Jeevan Vihar Building,
Parliament Street, New Delhi 110001.

5.The Authority Under Payment of Wages,
1936/, Joint Commissioner of Labour,
Office of the Joint Commissioner of Labor,
Thiruchirapalli.

6.The National Company Law Tribunal,
Corporate Bhawan 2nd Floor, Beach Road,
Mannady, George Town, Chennai 600 001.

(Writ Petition as against the Sixth
Respondent is Dismissed vide Court order
dated 04.02.2021 in W.P.(MD)No.1872/2021)

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to pay Rs.1,94,250/- plus accrued interest from the date of salary due, at the rate of 12% and failing thereof to pay the said amount by the 3rd respondent, the 4th respondent be directed to initiate disciplinary proceeding against 3rd respondent for violating the Section of 208(2) of the Insolvency and Bankruptcy Code, 2016 and ultimately the 6th respondent be directed to include petitioner's claim in the repayment plan and pay it accordingly within the time as fixed by this Court.



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For Petitioner : Mr.K.Rachul Priyan

For Respondents : R1 - Left
Mr.D.Srinivasaragavan for R3
Mr.V.Maleiyendran,
Central Govt. Standing Counsel for R4
Mr.F.Deepak,
Spl. Government Pleader for R5
R6 – Died

ORDER

The learned counsel for the petitioner after having argued the matter for quite some time sought liberty to approach the National Company Law Tribunal, Chennai for seeking appropriate remedy in respect of the claim made in the Writ Petition.

2. In view of the same, this Writ Petition is closed, while granting liberty to the petitioner to file an appropriate application before the National Company Law Tribunal, Chennai.



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WEB COPY 3. In view of the same, the petitioner is granted liberty to approach the learned National Company Law Tribunal, Chennai within a period of 30 days from the date of receipt of a copy of this order. In case, if any such application is filed, the National Company Law Tribunal, Chennai shall consider the same without reference to the period of limitation, as the petitioner pursuing his remedy before a wrong forum. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

24.02.2025

Neutral Citation: Yes / No
Index : Yes / No

vsm



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MUMMINENI SUDHEER KUMAR, J.

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