



W.P.(MD)No.5327 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5327 of 2025

and

W.M.P.(MD)No.3905 of 2025

M/s. TVS Sri Chakra Ltd.,
Represented by its Chief Financial Officer,
Mr. Rajagopalan,
No.10, Jawahar Road,
Madurai - 625 002.

... Petitioner

-VS-

The Secretary,
Ministry of Science and Technology,
Department of Scientific and Industrial Research,
Technology Bhavan, New Mehrauli Road,
New Delhi - 110 016.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned communication issued by the respondent in No.TU/IV-15(1250)/2025, dated 13.01.2025 and quash the same as arbitrary and unreasonable and consequently, direct the respondent to issue Form 3CL to the petitioner for the Financial Years 2010-11, 2011-12, 2012-13 and 2018-19.



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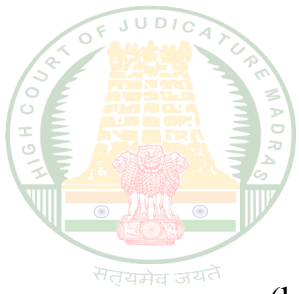
For Petitioner : Mr.S.Muthuvenkatraman
For Respondent : Mr.M.Karthikeya Venkitachalapathy
Central Government Standing Counsel

ORDER

This Writ Petition has been filed seeking to quash the impugned communication issued by the respondent in No.TU/IV-15(1250)/2025, dated 13.01.2025 and consequently, direct the respondent to issue Form 3CL to the petitioner, for the Financial Years 2010-2011, 2011-2012, 2012-2013 and 2018-2019.

2. The learned counsel for the petitioner submits that on 30.05.2024, the respondent issued two communications. These communications conveyed the following:-

(a) The first communication sought to provide a one-stop solution for all companies that had filed Form 3CL applications up to the Financial Year 2019-20. The respondent allowed companies to submit information, details or clarifications as requested by the respondent by 30.06.2024 through email and made it explicitly clear that applications would be closed if responses were not received by 30.06.2024.



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(b) The second communication sought to implement a new practice, stating that from 01.06.2024 onwards, the applications for procuring Form 3CM or 3CL should be submitted by email, as per the respondent's guidelines.

In compliance with the public communication issued by the respondent, the petitioner filed a fresh application for the issuance of Form 3CL on 06.06.2024, submitting all necessary documents in support of the application. Subsequent to the filing of the application, the petitioner followed up the matter via email on 03.10.2024, 24.10.2024, 27.11.2024 and 27.12.2024. However, the petitioner received no response or update regarding the application. To the petitioner's utter shock and surprise, on 13.01.2025, the application was rejected on the grounds that it was filed beyond the due date. Hence, the petitioner is constrained to file the present writ petition.

3. The learned Central Government Standing Counsel for the respondent submits that the petitioner's application was submitted beyond the prescribed deadline, which was clearly communicated in the communication issued on 30.05.2024. The respondent's deadline for submitting responses and clarifications was set for 30.06.2024 and any applications filed after the said date were subject to rejection. The respondent also implemented a practice of submitting



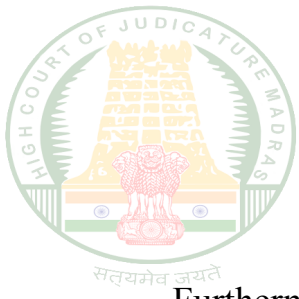
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applications via email for procuring Form 3CM or 3CL, starting from 01.06.2024, in line with the guidelines. The petitioner's application, though filed on 06.06.2024, was not timely followed up and did not provide the necessary clarifications as required by the respondent's communication.

4. The learned Central Government Standing Counsel appearing for the respondent further contends that despite the petitioner's follow-up emails, the application was not submitted in compliance with the stipulated timeline and the rejection of the application is in accordance with the rules and regulations governing the process and therefore, the writ petition filed by the petitioner lacks merit and should be dismissed.

5. Heard both sides.

6. This Court has carefully considered the submissions made by both parties. It is evident from the respondent's communication dated 30.05.2024 that clear guidelines were set for the submission of applications and a deadline of 30.06.2024 was fixed for submitting responses and clarifications. However, the petitioner's submission of the application on 06.06.2024, in compliance with the respondent's communication, was within the time frame for submission.



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Furthermore, the petitioner made multiple follow-up attempts via email to seek updates on the application, but no response was provided by the respondent.

7. In the light of the above facts, this Court finds that the respondent's rejection of the petitioner's application on the ground of filing beyond the due date appears to be an error. Therefore, this Court, in the interest of justice, sets aside the order passed by the respondent, dated 13.01.2025 and remits the matter back to the respondent. The respondent is directed to review the application filed by the petitioner and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order.

8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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