



WEB COPY

WP No. 12771 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 12771 of 2022

and

WMP.No.12228 of 2022

M/s.Solar Designs Private Limited,
Represented by its Director,
Mrs.James Arockia Mary,
No.1, A Wing, 3rd Floor, Parsn Manere,
Anna Salai, Chennai 600006.

..Petitioner(s)

Vs

1. The Joint Director and Head of office,
MSME Development Institute, MSME Institute,
Government of India, MSME Bhavan,
65/1, GST Road, Guindy, Chennai 600032.
2. The Regional Joint Director,
Industries and Commerce,
Thiruvika Industrial Estate,
Guindy, Chennai 600032.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorarified mandamus, to quash the impugned e-mail communication dated 06.05.2022, of the 2nd respondent rejecting Arbitration Application No. TN02E0107588 / S / 00001, filed by the Petitioner, and to consequently direct the 2nd respondent to refer the aforesaid application to the Arbitration Council for adjudication under Section 18 of the MSME Act, 2006.



For Petitioner(s):

Mr.Harshavarthan. G. for
Mr.Govind Chandrasekhar

For Respondent(s):

R1 – No Appearance

Mr.P.Ganesan
Government Advocate for R2**ORDER**

This Writ Petition has been filed challenging the impugned e-mail communication dated 06.05.2022, of the 2nd respondent rejecting Arbitration Application No. TN02E0107588/S/00001, filed by the Petitioner, and to consequently direct the 2nd respondent to refer the aforesaid application to the Arbitration Council for adjudication under Section 18 of the MSME Act, 2006.

2. The learned counsel appearing for the petitioner would submit that initially the petitioner has made an application for conciliation before the 2nd respondent Authority on 23.11.2021. It is stated that despite passage of five months, the application has not been converted as arbitrary proceedings and without conducting any enquiry, the respondent vide communication dated 06.05.2023 rejected the petitioner's application dated 23.11.2022, citing reason that hard copies of the documents were not submitted. However, no such document was sought for by the respondent before passing the communication dated 06.05.2023. On the other hand, the learned counsel for the petitioner would submit that the petitioner submitted all the documents as soft copies.



3. The learned Government Advocate appearing for the respondents would submit that hard copy of the documents were not submitted therefore, the application submitted by the petitioner has been rejected.

4. The learned counsel for the petitioner as well as the respondent agreed that the petitioner had already submitted all the documents by uploading the same in the portal and the petitioner was under the impression that it was sufficient. The respondents ought to have sought for hard copies of the documents, before passing the impugned communication dated 06.05.2022 but, the same has not been done. However, now the learned counsel of the petitioner would further submit that he is ready and willing to produce all the documents as hard copies before the respondents.

5. In such view of the matter, in order to give opportunity to the petitioner, this Court is inclined to set aside the impugned communication of the 2nd respondent dated 06.05.2022. Accordingly, the impugned communication of the 2nd respondent dated 06.05.2022 is set aside and the petitioner is directed to produce hard copies of the documents including the original copy of the rejection order within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the 2nd respondent is directed to decide the matter and pass appropriate orders within a period of twelve weeks, thereafter.



6. This Writ Petition is disposed of with the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

WEB COPY

13-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KKN



To

1. The Joint Director and Head of office,
MSME Development Institute, MSME Institute,
Government of India, MSME Bhavan,
65/1, GST Road, Guindy, Chennai 600032.
2. The Regional Joint Director,
Industries and Commerce,
Thiruvika Industrial Estate,
Guindy, Chennai 600032.



WEB COPY

WP No. 12771 of 2



KRISHNAN RAMASAMY, J.

KKN

WP No. 12771 of 2022

13-03-2026