



W.P. No.16867 of 2026

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED:01.06.2026

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CORAM:

**THE HON'BLE MR. JUSTICE M. DHANDAPANI**

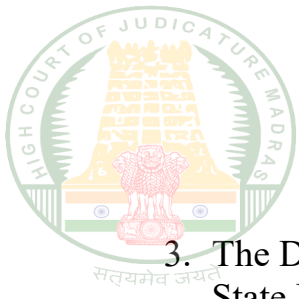
W.P. No.16867 of 2026

System 5S Private Limited  
Authorised Signatory  
Director Mr.Sudhir Thakker  
Having registered office at  
No.105, Nyniappa Naicken Street  
Chennai-600 003  
Tamil Nadu

..Petitioner(s)

Vs

1. Director and Head Office  
MSME Development & Facilitation Council  
Govt. of India  
MSME Bhawan  
65/1, GST Road  
Guindy  
Chennai-600 032  
Also having address at  
O/o, the Regional Joint Director of Industries  
and Commerce  
A-30, T.I.VI.K.A Industrial Estate  
Guindy  
Chennai-600 032
2. The Project Director  
Andhra Pradesh Disaster Recovery Project  
Having its office at Genious JR Towers  
Kunchanapalli  
Tadepalli  
Guntur District - 522 501



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3. The Director General  
State Disaster Response & Fire Services  
Having their office at Governorpet  
Vijayawada  
Andhra Pradesh - 520 002

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the 1<sup>st</sup> respondent to fix an early date for final hearing and for the expeditious disposal of case No.MSEFC/CR/433/2023 as per section 18(5) of the MSME Act.

For Petitioner : Mr.K. Gaurav Kumar

### **ORDER**

The relief sought in this writ petition is a direction to the 1<sup>st</sup> respondent to fix an early date for final hearing and for the expeditious disposal of case No.MSEFC/CR/433/2023 as per section 18(5) of the MSME Act.

2. It is stated that the petitioner is a Micro and Small Enterprise engaged in the manufacture of fire safety equipment. The 2<sup>nd</sup> respondent awarded a contract to the petitioner on 31.08.2021 for supply of fire proximity suits valued at Rs.1,89,95,000/- under the Andhra Pradesh Disaster Recovery Project. Though the petitioner completed the supplies and a Performance Certificate dated 28.06.2023 was issued acknowledging satisfactory performance, the amounts due under the contract were not paid.



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3. It is the further averment that the petitioner invoked the provisions of the MSMED Act, 2006 and filed a reference before the 1<sup>st</sup> respondent seeking recovery of the principal amount along with statutory interest. Later, the Council, by proceedings dated 16.02.2026, recorded the failure of conciliation and resolved to initiate arbitration proceedings under Section 18(3) of the Act. However, no further action has been taken thereafter. Hence this writ petition.

4. Larned counsel for the petitioner submitted that the continued pendency of the proceedings is contrary to the mandate contained under Section 18(5) of the MSMED Act and has caused serious financial hardship to the petitioner. Hence, the present writ petition has been filed seeking a direction to the 1<sup>st</sup> respondent to dispose of the proceedings within a stipulated time.

5. Heard the learned counsel for the petitioner and perused the entire records.

6. Considering the limited relief sought for by the petitioner and without expressing any opinion on the merits of the claim, this Court directs the 1<sup>st</sup> respondent to proceed with and dispose of the proceedings in MSEFC/CR/433/2023, in accordance with law, after affording opportunity to all concerned parties, within a period of eight weeks from the date of receipt of a copy of this order, if there is no legal impediment.



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7. With the above directions, the writ petition stands disposed of. No

costs.

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Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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To :

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**M. DHANDAPANI, J.**

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