



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 29170 of 2022 and
WMP.No.28455 of 2022**

D.Prem
S/o. S.Duraiswamy,
Ex Chairman and Managing Director of PGC
Corporation Limited, Prem Gardens, 5, Rajaji
Nagar, P.N.Road,
Tirupur.

..Petitioner

Vs

1. Indian Overseas Bank
Represented by its Assistant General Manager,
Kumaran Road, Tirupur-641 601.
2. Official liquidator of PGC Textile corporation
Office of the Official liquidator Madras High
Court, UTI Building, 2nd Floor, Rajaji Salai,
Beach Road, George Town,
Chennai - 600001.
3. Directorate of Enforcement,
Southern Regional Office, Shasthri Bhavan, III
Block, B Wing, 26, Haddows Road,
Chennai - 600 006.

..Respondents

Writ Petition filed under Article 226 of Constitution of India
seeking for issuance of Writ of Mandamus directing the 1st Respondent to issue
Bank realization certificate for the schedule mentioned foreign remittance
received on behalf of PGC Corporation Limited.



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For Petitioner:

Mr.Akhil R.Bhansali

For Respondents:

Mr. V. Kathirvelu (R1)

Standing Counsel

No appearance (R2)

Mr.A.Kumaraguru (R3)

Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the 1st Respondent to issue Bank realization certificate for the schedule mentioned foreign remittance received on behalf of PGC Corporation Limited.

2. The learned counsel appearing for the petitioner would submit that the petitioner Company viz., PGC Corporation Limited, which is under liquidation has exported textile goods to United States and Europe through various consignments to the tune of USD 5,579,955/- as stated in the paragraph 2 of the affidavit filed in support of this petition and until April 2013, the Company received some payments as stated in paragraph 3 of the affidavit. Further, he would submit that there was a default in payment by the buyer in the United States, as a result of which proceedings were initiated in the New Jersey Superior Court, Bergen County. However, pursuant there to the Buyer i.e., Infinite Vision LLC initiated voluntary bankruptcy petition. some of the goods which were exported were not cleared by the buyer from the US Customs and therefore the same was sold in auction, due to which the petitioner suffered huge loss and was not able to realize the entire export proceeds.



2.1. Further, he would submit that despite several requests made, the 1st respondent is refusing to issue the Bank Realization Certificate even for the amounts which were realized by the 1st respondent, as it is necessary for the purpose of showing compliance to the FEMA regulations and also for availing export-oriented concessions/certificates issued by the Government of India. Therefore, the petitioner has filed this writ petition seeking for the aforesaid relief.

3. The learned standing counsel appearing for 1st respondent would submit that since the documents sought for by the Bank was not produced by the petitioner, they are not in a position to issue the Bank Realization Certificate.

4. In reply, the learned counsel appearing for the petitioner would submit that they have already produced all the necessary documents before the 1st respondent, despite the same, the 1st respondent refused to issue Bank Realization Certificate to them. However, he would fairly submit that the petitioner is ready and willing to resubmit the documents sought for by the 1st respondent.



5. The learned Standing Counsel appearing for the 1st respondent would submit that the 1st respondent will issue the Bank Realisation Certificate to the petitioner after production of the documents sought for by the 1st respondent.

6. Heard both sides. Perused the records.

7. Considering the submissions made by the learned counsel appearing on either side and on a perusal of the documents placed before this Court, it is clear that the petitioner Company have exported goods to United States and Europe as stated in paragraph 2 of the affidavit filed in support of this petition and received certain payments as stated in paragraph 3 of the affidavit. Therefore, the 1st respondent is supposed to issue the Bank Realization Certificate to the Petitioner, on receipt of remittance from the foreign buyer. As rightly contended by the learned counsel for the petitioner that Bank Realization Certificate is very much required for them for the purpose of availing export-oriented concessions/certificates and also for showing compliance of FEMA regulations.

5. Taking into consideration of all these aspects, this Court directs the petitioner to submit all the documents sought for by the 1st respondent, within a period of four weeks from the date of receipt of a copy of this order and on receipt of the same, the 1st respondent shall issue Bank Realization Certificate to the petitioner, immediately without any delay.



6. This Writ Petition is disposed of accordingly. No costs. Consequently,
connected Miscellaneous Petition is closed.

02-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
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1. The Indian Overseas Bank
Represented by its Assistant General Manager,
Kumaran Road, Tirupur-641 601.
2. Official liquidator of PGC Textile corporation
Office of the Official liquidator Madras High
Court, UTI Building, 2nd Floor, Rajaji Salai,
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3. Directorate of Enforcement,
Southern Regional Office, Shasthri Bhavan, III
Block, B Wing, 26, Haddows Road, Chennai -
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WP No. 29170 of 2



KRISHNAN RAMASAMY, J.

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WP No. 29170 of 2022

02-04-2026



WEB COPY

WP No. 29170 of 2

