



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 31968 of 2023

AND WMP NOS. 31555, 31553 OF 2023, 2509 OF 2024 & 12636 OF 2026

Navilkal Estat Tea Factory
Represented By Its Partner
Mr. A. Ramu Adubettu, Jackanarai
Aravenu (p.O) The Nilgiris 643 201

Petitioner(s)

Vs

1. Tea Board India
Represented By Its Executive Director
And Registering And Licensing
Authority Ministry Of Commerce And
Industry Governemnt Of India
Shelwood Club Road P.O Box No 6
Coonoor 643 101 Nigiris Tamil Nadu

2.J. Kannan
S/o G.H Joghee Gowder Kill Keri,
Jackanarai Village Aravenue (p.O) The
Nilgiris 643 201

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, Call for the records relating to the impugned proceedings dated 01.11.2023 bearing ref No. 6 (346) / TMCO / CNR / 12 / 718 issued by the 1st Respondent and the quash the same.

For Petitioner(s): Mr.RM.V.Palaniappan,
for Mr.AR.Karthilakshmanan

For Respondent(s): Mr.N.Anbazhagan for R2
Mr.K.Ramanamoorthy, SPC for R1



ORDER

This writ petition has been filed challenging the impugned proceedings dated 01.11.2023 issued by the 1st respondent.

2. The learned counsel for the petitioner would submit that in this case, a notice was issued by the 1st respondent on 16.05.2023, based on the complaint received from the 2nd respondent, stating that the petitioner had concealed certain facts with regard to title of the factory and illegally running the business. Thereafter, the 1st respondent vide impugned proceedings dated 01.11.2023, had directed the petitioner to once again apply for change of ownership along with all the relevant documents and also ceased the operation of factory until the completion of aforesaid process.

3. Further, he would contend that at any cost, factory operations should not be stalled due to the dispute among partners. If it is ceased to operate, it would not only affect the interest of the petitioner, but also the interest of workers of the said factory. At the time of filing this petition, considering all the above aspect, this Court granted an order of interim stay in favour of the petitioner vide order dated 08.11.2023.



4. On the other hand, the learned counsel for the respondent would submit that in this case, the complaint was given against the petitioner. Based on the said complaint, the impugned order came to be passed. Further, he would submit that due to the infighting among the partners, they were called upon to change the ownership through Board's online portal. Hence, he requests this Court to pass appropriate orders.

5. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

6. In the case on hand, based on the complaint filed by the 2nd respondent, the impugned order came to be passed by the 1st respondent, whereby, the petitioner is directed to once again apply for ownership. Further, the 1st respondent had passed an order to cease the operation of the factory until the completion of aforesaid process.

7. As rightly contended by the petitioner, the 1st respondent should not have stalled the operation of factory merely based on the complaint filed by the 2nd respondent. If the factory is ceased to operate, it will lead to serious consequences. It appears that the petitioner is running the factory after borrowing huge amount of money, in such case, if the operation of the factory is stalled, the petitioner will not be able to repay the loan amount. It will



ultimately affect the interest of petitioners, the workers of the said factory along with the interest of the Bank and the public as well.

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8. Therefore, in the event, if the petitioner is intend to operate the factory, the same should be allowed by the respondents. Even if there is any violation, the same should have been addressed by way of issuing show cause notice to the petitioner or otherwise.

9. Further, the dispute between the partners has to be resolved before any Court of law. As stated above, at any cost, the operation of factory should not be ceased vide the impugned order. Therefore, this Court is inclined to set aside the impugned order passed by the 1st respondent.

10. Accordingly, this Court passes the following order:

- i) The impugned order dated 01.11.2023 is set aside.
- ii) If there is any violation on the part of the petitioner in operating the factory, the 1st respondent is directed to issue a fresh show cause notice.
- iii) Upon receipt of the said notice, the petitioner shall file the reply along with all the relevant documents.
- iv) After affording sufficient opportunity to the petitioner as well as 2nd respondent, appropriate orders shall be passed by the 1st respondent.



v) The interim stay granted by this Court vide order dated 08.11.2023 shall continue till then.

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11. With the above directions, this writ petition is disposed of. No cost.

Consequently, the connected miscellaneous petitions are also closed.

30-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

Tea Board India

Represented By Its Executive Director

And Registering And Licensing

Authority Ministry Of Commerce And

Industry Governemnt Of India

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