

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION Nos. 595 OF 2024 and 6442 of 2021



WRIT PETITION NO: 595 OF 2024

Between:

M/s.Engineering Projects (India) Ltd., (A Govt, of India Enterprise) Southern
Regional Office 3D, EC Chambers, 92, G.N.Chetty Road T.Nagar, Chennai -
600017 rep. by its Deputy General Manager, Hyderabad
(sro@engineeringproects.com)

Petitioner

AND

1. The Andhra Pradesh Micro and Small Enterprises Facilitation Council,
(APMSEFC) (Established under Section 20 of Micro, Small and Medium
Enterprises Development Act, 2006) at Mangalagiri
2. M/S. Devi Engineering and Constructions Pvt. Ltd, Plot No.20, Flat
No.GI, IVY Grand Ground Floor, Narasanna Nager, Surya Rao Peta,
Kakinada - 533 003 informdec@vahoo.co.in 9246424111

Respondents

Petition under Article 226 of the Constitution of India praying that in the
circumstances stated in the affidavit filed therewith, the High Court may be
pleased to issue an appropriate writ or order or direction more particularly one
in the nature of Writ of Mandamus to declare the action of the 1st Respondent
in initiating proceedings vide No. 21 C/IFC/2021/967 dated 28.08.2021 in
pursuance of Claim Application filed by the 2nd Respondent under Section
18(1) of Micro, Small and Medium Enterprises Development Act 2006 as
highly illegal, arbitrary and without jurisdiction and in violation of Articles 14

and 300A of Constitution of India and issue consequential directions to the 1st Respondent not to proceed further in adjudication of the dispute in Reference No. 21 C/IFC/2021/967 dated 28.08.2021 .

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in Reference No. 21 C/IFC/2021/967 dated 28.08.2021 before the 1st Respondent, pending disposal of WP No. 595 of 2024, on the file of the High Court.

IA NO: 2 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay the operation of Order dated 22.11.2023 passed in Case No. 21C/IFC/2021/967 by the 1st Respondent, pending disposal of WP No. 595 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High court, dated 06.08.2025 made herein, and upon hearing the arguments of Sri K.Srinivasa Rao, Advocate for the petitioner, and of Smt. V.Sesha Kumari, Advocate for the Respondent No. 2.

WRIT PETITION NO: 6442 OF 2021

Between:

1. Container Corporation of India, (A Government of India Undertaking)
CONCOR Bhavan, C-3, Mathura road New Delhi-110076, rep.by its
Chairman and Managing Director.

2. The Group General Manager, (Engg) Container Corporation of India
CONCOR Annex, NSIC MDBP Building 3rd floor, Okhla Industrial Estate
New Delhi-110020

...Petitioners

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Industries
Dept., Secretariat Buildings, Amaravathi-522020
2. The Commissioner of Industries, Government of Andhra Pradesh 1st
floor, Government Printing Press Building, Mutyalampadu St.,
Vijayawada-520011
3. The Andhra Pradesh State, Micro, Small and Medium Enterprises
Facilitation Council, represented by its Chairman, Office of
Commissionerate of Industries, 1st floor, Government Printing Press
Building, Mutyalampadu St., Vijayawada 520011
4. Devi Engineering and Construction Private Limited, A company
incorporated under the provisions of the Companies Act, 1956, having
its registered Office at Plot No.20, Flat G1, Jvy Grand Ground floor,
Narasanna Nagar, Suryarao Peta, Kakinada-534004 rep.by its
Managing Director Mr.J.V.Gangadhar.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate Writ, Order or Direction particularly a writ of PROHIBITION restraining respondent no.3 from proceeding any further in the proceedings under reference No.21C/IFC/2021/457 pending before it OR IN THE ALTERNATIVE this Hon'ble court may be pleased to issue appropriate writ, order or direction, particularly a writ of MANDAMUS declaring the proceedings under reference No.21C/IFC/2021/457 pending before respondent no.3 as without jurisdiction, illegal, contrary to provisions of The Micro, Small and Medium Enterprises Development Act, 2006 and Rules and

issue consequential direction forbearing respondent No.3 from proceeding further in the matter.

IA No. 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend operation of orders dt.23.02.2021 passed by respondent No.3 in Case No.21C/IFC/ 2021/457, pending disposal of WP No.6442 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Writ Petition and the affidavit filed in support thereof and the earlier Order of the High Court dated 22.04.2021 & 11.08.2025 made herein and upon hearing the arguments of Sri Ramesh Babu Tatapudi, Advocate for the Petitioners and of GP for Industries for the Respondent Nos.1 to 3 and of Ms.V.Sesha Kumari, Advocate for the Respondent No.4, the Court made the following

COMMON ORDER:

“Heard Sri Ramesh Babu Tatapudi, Ld. Counsel for the Writ Petitioner (in W.P.No.6442 of 2021) and Sri J. Prabhakar, Ld. Senior Counsel appearing for the Respondent appearing through online.

2. Pleadings are completed.
3. List this matter on 11.11.2025 for final hearing.
4. Parties are directed to file Synopsis, chronological sequence of events along with Citations before the next date of hearing.
5. Interim orders granted in both the Writ Petitions shall continue till the next listing.”

//TRUE COPY//

**SD/-A.VIJAYA BABU
DEPUTY REGISTRAR**


SECTION OFFICER

To,

1. One CC to Sri K Srinivasa Rao, Advocate [OPUC]
2. One CC to Sri. J.Prabhakar, Advocate [OPUC]
3. One CC to Sri. Ramesh Babu Tatapudi, Advocate [OPUC]
4. One CC to Ms. V Sesha Kumari, Advocate [OPUC]
5. One CC to Sri Naumene Suraparaj Karlapalem, Advocate [OPUC]
6. Two CCs to GP for Industries, High Court of Andhra Pradesh. [OUT]
7. One spare copy

CVSS

HIGH COURT

GRKP,J

DATED:17/09/2025

LIST THIS MATTER ON 11.11.2025 FOR FINAL HEARING.

ORDER

WRIT PETITION Nos. 595 OF 2024 and 6442 of 2021

INTERIM OREDR EXTENDED

