

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2015

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.10018 of 2015

1. V.P.R.Auto Components
No.17 A/D Sidco Industrial Estate Ambattur
Chennai 98
Rep by its Managing Partner
Mr.P. Ranganathan ... Petitioner
- Vs
1. The Managing Director
Tamil Nadu Small Industries Development
Corporation Ltd Sidco Corporate Office
Buildings Thiru Vi Ka Industrial Estate
Guindy Chennai 32
2. The Branch Manager
Sidco Branch Office Industrial Estate
Kakkalur 602 003 ... Respondents

Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to issue MOU (Memorandum of Understanding) with regard to the Plot No.121 by accepting the payments made by the petitioner within a specified date as may be fixed by this Honourable Court

For petitioner : Mr. V. Bhiman for
M/s.Sampath Kumar and Asso.

For respondents : Mr. Abdul Saleem

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ORDER

It is the case of the petitioner that by means of an allotment order dated 23-10-2008, a developed vacant plot bearing No.S 121 of an extent of 8.53 cents (approx.) at SIDCO Industrial Estate, Kakkalur was allotted in favour of the petitioner and though he had paid the major portion of the said amount, the first respondent vide memo No.6667/IE 2A/2008 dated 23-12-2011 cancelled the allotment without putting him on notice and called upon him to pay the balance plot cost.

2. The first respondent vide letter dated 09-07-2013, informed the petitioner that three payments made by him were accepted and requested him to pay the balance plot cost on or before 31-08-2013 in order to take necessary steps for cancelling the allotment order dated 30-07-2010. The first respondent vide letter dated 09-07-2013, has made a further demand of Rs.10,02,900/- (Rupees Ten lakhs two thousand nine hundred only), which according to the petitioner is towards the balance of revised plot cost as on 31-07-2013. The petitioner vide letter dated 18-07-2013 expressed their inability to make ready such a huge sum of money. Thereafter, the second respondent issued a second notice to the petitioner calling upon him to make the payment failing which the allotment order would be cancelled. The petitioner submitted a representation dated 24-08-2014 to the Honourable the Chief Minister's Cell marking a copy to the first and second respondents also and pointed out that persons who had been allotted plots, similar in nature, were allowed to build a superstructure and such a benefit was denied to them. Since no response is forthcoming, the petitioner came forward to file this writ petition.

3. Heard the submissions of Mr. V. Bhiman, learned counsel for the petitioner, who has drawn the attention of this Court to the typed set of documents and would submit that in the light of the benefits extended to persons, who are similarly placed like that of the petitioner, the petitioner is also entitled to such benefit.

4. The Court heard the submissions of Mr. V. Bhiman, learned counsel for the petitioner and Mr. Abdul Saleem, learned counsel appearing for the first and second respondents.

5. Though the petitioner prayed for a larger relief, in the light of the circumstances of the case, it would suffice to direct the first respondent to consider the petitioner's representation dated 03-03-2015 on merits and in accordance with law within a stipulated time.

6. In the result, the writ petition is disposed of and the first respondent is directed to dispose of the representation dated 03-03-2015 on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision to the writ petitioner. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

glp

To

1. The Managing Director
Tamil Nadu Small Industries Development
Corporation Ltd Sidco Corporate Office
Buildings Thiru Vi Ka Industrial Estate
Guindy Chennai 32
2. The Branch Manager,
SIDCO Branch Officer,
Industrial Estate,
Kakkalur - 602 003.

+1cc to M/s.Sampath Kumar & Associates, Advocate, S.R.No.19141

W.P.No.10018 of 201

SKV(CO)
CA(23/04/2015)

सत्यमेव जयते

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