

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:**12.07.2016**

CORAM

THE HONOURABLE MR.JUSTICE **M.JAICHANDREN**

W.P.No.11423 of 2016

K.Gururaj Hebbar

..Petitioner

vs.

Pondicherry Industrial Promotion
Development and Investment
Corporation Limited (PIPDIC)
No.60, Romain Rolland Street
Puducherry, Pin Code: 605 001.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying to issue a writ of mandamus, to direct the respondent herein to renew the lease with the petitioner as per Lease Deed dated 11.04.2011 in respect of the schedule mentioned property.

For Petitioner : Mr.V.Ravi

For Respondent : Mr.T.P.Manoharan
Senior Counsel for
Mr.T.M.Naveen

ORDER

Heard the learned counsels appearing on behalf of the petitioner, as well as the respondent.

2. This writ petition has been filed praying that this Court may be pleased to issue a WRIT OF MANDAMUS, directing the respondent to renew the lease in favour of the petitioner, as per the Lease Deed, dated 11,04.2011, in respect of the schedule mentioned property.

3. The main contention raised on behalf of the petitioner is that the petitioner had been granted a lease in his favour, by the respondent, in respect of 8094 sq.mts., in PIPDIC Chemical Industrial Estate, Kirumampakkam Village, Puducherry, by way of lease deed, dated 11.04.2011, for the manufacturing of Epoxidized Soya Oil and Poly Methyl Metha Acrylate. Inspite of several requests having been made by the petitioner, the respondent-Corporation had not passed any order, in favour of the petitioner, as requested by him, for the grant of lease, for the entire extent of 8094 sq.mts., for the manufacturing process. Therefore, the petitioner has preferred the present writ petition, before this Court, under Article 226 of the Constitution of India.

4. Mr.T.P.Manoharan, the learned Senior Counsel, appearing on behalf of the respondent, had submitted that the lease granted in favour of the petitioner, to an extent of 8094 sq.mts., in PIPDIC Chemical Industrial Estate, Kirumampakkam Village, Puducherry, for the manufacturing process, had been reduced to a lesser extent of area, as the petitioner has not been in a position to utilize the entire extent of land granted in his favour, as per the original lease deed. Therefore, an order had been passed by the respondent, during the year 2009, after having issued show cause notices to the petitioner, reducing the extent of land, granted in favour of the petitioner. However, the petitioner had not challenged the same. Therefore, the remaining extent of land had been granted in favour of a third party. Further, the representations made by the petitioner had been considered and a final order had been passed, rejecting his request, by an order, dated 27.04.2016.

5. In view of the order passed by the respondent, dated 27.04.2016, this Court is of the view that the present writ petition, filed by the petitioner, has become infructuous. However it may be open to the petitioner to challenge the order passed by the respondent, dated 27.04.2016, before the appropriate authority or forum, if so advised, in the manner known to law. Accordingly, the writ petition stands dismissed. No costs.

12.07.2016

vj2

Index: Yes/No

Internet: Yes

To

Pondicherry Industrial Promotion
Development and Investment
Corporation Limited (PIDIC)
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M.JAICHANDREN, J.

vj2

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