

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2016

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P. No. 26556 of 2015

M/s. Muktha Dye Chem
A registered Partnership Firm
rep. by its Partner,
S. Sundar S/O.V.Srinivasan
No.5, Vaidyarama Street,
T. Nagar,
Chennai - 600 018. ...Petitioner

Vs.

1. The Tamilnadu Small Industries
Development Corporation rep.
by its Chairman and Managing
Director,
Thiru.Vi.Ka. Industrial Estate,
Guindy,
Chennai - 600 058.
2. The Branch Manager,
Tamilnadu Small Industries
Development Corporation,
Thiru.Vi.Ka Industrial Estate,
Guindy,
Chennai - 600 058.
3. The Government of Tamil Nadu,
rep.by its Secretary,
Department of Micro and
Macro Industries,
Chepauk, Chennai.

(R3 is impleaded as per order dated
30.11.2015 by this Courtin M.P. No. 1/2015
in W.P. No. 26556/2015.) ...Respondents

Prayer: Petition under Article 226 of the Constitution of India
praying for issue of a Writ of Mandamus directing the 1st
respondent to execute the sale deed pursuant to the letter
Ref.No. 434/A7/1 dated 07.11.2001 from the 2nd respondent
granting permission to execute a sale deed in favour of the
petitioner.

For Petitioner :: Ms.T. Girija

For Respondents:: Mr.Abdul Saleem
for R1 & R2
Mr.V. Subbiah,
Special Govt. Pleader
for R3

O R D E R

The petitioner, who is an allottee of Plot No. 2G "NP" in S.No. 144 part of Ambattur, S.No. 76 and 77, part of Pattaravakkam Village in the limits of Ambattur Township in the Taluk of Saidapet, measuring 0.612 acres, has come forward to file this writ petition seeking a direction to the 1st respondent to execute the sale deed pursuant to the letter Ref.No. 434/A7/1 dated 07.11.2001 from the 2nd respondent granting permission to execute the sale deed in favour of the petitioner.

2. When the matter is taken up for hearing, learned counsel appearing for respondents 1 and 2 submitted that the issue of ratification is pending consideration with the 3rd respondent as seen from the Letter in Rc.No. 4385/IE5/2010 dated 28.01.2015 and both the counsel produced a copy of the order passed by this Court dated 08.12.2015 in W.P. No. 27946 of 2015 (Reji Varghese V. Tamil Nadu Small Industries Development Corporation Limited and another) wherein it has been held as follows:

"3. It can be easily visualised that some of the allottees had already got their plot registered by the authorities and necessary sale deeds had also been released. With regard to 470 allottees, now awaiting for the ratification to be done by the second respondent. There is no valid as well as legally sustainable reason for not granting the ratification as on date. There is also no impediment for the second respondent for ratifying the same, since the petitioner as well as the other allottees had already paid the enhanced plot value. For all these reasons, the second respondent is directed to pass necessary orders of ratification so as to register the sale deed as far as the petitioner is concerned within a period of four weeks from the date of receipt of a copy of this order. On such ratification, the first respondent is directed to register the sale deed and release the document if the petitioner complies other legal requirements towards registration of the sale deed.

This writ petition is disposed of. No costs."

3. In such view of the matter, the writ petition is disposed of directing the 3rd respondent to pass appropriate orders with regard to ratification of allotments, as requested by the 1st respondent vide letter No.Rc.no. 4385/IE5/2010 dated 28.01.2015 within a period of eight weeks from the date of receipt of a copy of this order. Based on the decision to be taken by the 3rd respondent, respondents 1 and 2 will have to take action accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Chairman and Managing
Director,
The Tamilnadu Small Industries
Development Corporation,
Thiru.Vi.Ka. Industrial Estate,
Guindy,
Chennai - 600 058.
2. The Branch Manager,
Tamilnadu Small Industries
Development Corporation,
Thiru.Vi.Ka Industrial Estate,
Guindy,
Chennai - 600 058.
3. The Secretary,
The Government of Tamil Nadu,
Department of Micro and
Macro Industries,
Chepauk, Chennai.

+1cc to Mr.Abdul Saleem, Advocate Sr.220

W.P. No. 26556 of 2015

sld[col]
srg 18/01/2016