

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.26681 of 2016

M/s.Royal Emulsifiers

Rep. By its Proprietor Tmt. Jeyagowri,
3, Pilkington Road, Ayanavaram,
Chennai - 600 023. Petitioner

Vs.

- 1.The Government of Tamil Nadu
Rep., by its Secretary,
Department of Micro and Macro Industries,
Chepauk, Chennai.
- 2.The Tamil Nadu Small Industries,
Development Corporation Rep. By its
Chairman and Managing Director,
Thiru.Vi.Ka Industrial Estate,
Guindy, Chennai - 600 058.
- 3.The Branch Manager,
SIDCO Branch Office,
Industrial Estate,
Kakallur, Thiruvallur-602 003. Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to pass appropriate orders of ratification on the basis of G.O.Ms.No.21 dated 29.03.2016 to enable the second and third respondents to execute the sale deed for developed Plot No.51, measuring an extent of 0.247 acres in the SIDCO Industrial Estate at Kakallur comprised in SF.No.276 Part of Kakallur Village in Thiruvallur District in favour of the petitioner.

For Petitioner : Mr.V.Srinivasa Babu

For Respondents : Mr.R.A.S.Senthilvel,
Additional Government Pleader [R1]

Mr.Abdul Saleem [R2 and R3]

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The second respondent, vide allotment order dated 20.01.1995 in Order No.27840/AL1/94, had allotted developed plot bearing No.51 admeasuring to an extent of 0.247 acres in the SIDCO Industrial Estate at Kakallur comprised in SF.No.276 part in favour of the petitioner and according to them, the entire cost of developed plot has been paid even prior to the cut-off date 31.03.1995 itself and physical possession was also handed over to him as early as on 05.09.1995 and no objection was also issued for the planning permission.

3. The petitioner had repeatedly approached the third respondent for issuance of sale deed in favour of the above said allotment of plot and however, the third respondent was repeatedly informed the petitioner that they awaiting for ratification order from the Government for the allotment of plots exceeding 5000 sq. ft., and on receipt of the same, sale deed will be executed in his favour.

4. The learned counsel appearing for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that in similar facts and circumstances one M/s.Muktha Dye Chem, a registered partnership Firm, had approached this Court by filing W.P.No.26556 of 2015 and vide order dated 04.01.2016, this Court has disposed of the writ petition, directing the first respondent herein to pass appropriate orders with regard to the ratification of allotment and in compliance of the order, the first respondent has passed G.O.Ms.No.21, Micro, Small and Medium Enterprises (C) Department, dated 29.03.2016, stating that the allotment made in the Government Industrial Estates by the Tamil Nadu Small Industries Development Corporation Limited, exceeding 5000 sq. ft. need not get prior approval from the Government and in this regard, the petitioner has also submitted a representation dated 05.02.2016 and since no orders have been passed, came forward to file this writ petition.

5. This Court heard the submissions of Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the first respondent and Mr.Abdul Saleem, learned counsel appearing for respondents 2 and 3.

6. This Court, taking into consideration of the above facts and circumstances, permits the petitioner to submit one representation to the third respondent along with the

copy of this order, copy of his earlier representation dated 05.02.2016 as well as G.O.Ms.No.21, Micro, Small and Medium Enterprises (C) Department, dated 29.03.2016 within a period of two weeks from the date of receipt of a copy of this order and the third respondent, on receipt of the same, is directed to consider the said representation in accordance with law in the light of the above cited Government Order and pass orders within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

7. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

vsm

To

- 1.The Secretary,
Government of Tamil Nadu,
Department of Micro and Macro Industries,
Chepauk, Chennai.
- 2.The Chairman and Managing Director,
Tamil Nadu Small Industries,
Development Corporation
Thiru.Vi.Ka Industrial Estate,
Guindy, Chennai - 600 058.
- 3.The Branch Manager,
SIDCO Branch Office,
Industrial Estate,
Kakallur, Thiruvallur-602 003.

+ 1 CC to Mr.V.Srinivasa Babu, Advocate SR NO 43331

+ 1 CC to Government Pleader SR NO 43658

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KGK[CO]
GP/17.8