

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.38623 of 2016

M/s.Auroplast Industries
Rep. by its Partner V.Goundasegarane,
No.30, 2nd Cross, Muthamil Nagar,
Sevarapet, Puducherry. ... Petitioner

Vs.

1. The Pondicherry Industrial Promotion
Development and Investment Corporation Limited (PIPDIC),
Rep. by its Managing Director,
No.60, Romain Roland Street,
Puducherry - 605 001.
2. A.Mariam Siddeeka,
Proprietrix,
M/s.Salwa Food Products,
No.16, Raja Singh Street,
Puducherry - 605 001. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to consider the representation of the petitioner dated 19.09.2016 and to re-allot the Plot No.A-44, Sedarapet Industrial Estate, Puducherry to the petitioner.

For Petitioner : Mr.Sainath
for M/s.Sai Bharath & Ilan

For Respondent : Mr.T.M.Naveen - R1

ORDER

This Writ Petition has been filed to direct the first respondent to consider the representation of the petitioner dated 19.09.2016 and to re-allot the Plot No.A-44, Sedarapet

Industrial Estate, Puducherry to the petitioner.

2. The case of the petitioner is that the originally the petitioner was allotted 'A' type plot bearing No.A-44, measuring 1050 sq.m. at Sedarapet Industrial Estate, Puducherry for setting up of an unit for manufacture of Injection moulding polyurethan products, TPR products and plastic products by the allotment order dated 04.12.2007 of the first respondent. Pursuant to the said allotment, the Lease Deed for a period of 99 years was executed by the first respondent in favour of the petitioner on 07.09.2009. Thereafter, the petitioner has put up construction to the lintel level in the said land. As the husband of the petitioner has met with two accidents, one after the other and hospitalized and has been undergoing continuous treatment, the petitioner was not able to proceed with the construction. Hence, the first respondent cancelled the allotment of the petitioner and the same plot was allotted to the second respondent and a lease deed has also been executed in his favour on 30.05.2104. Even after the allotment of the said land to the second respondent and after a lapse of two years, the second respondent has not commenced any work and the building remains at the very same stage where the petitioner had left the construction. Therefore, the petitioner sent a representation to the first respondent to re-allot the said plot to the petitioner and the same has not been considered by the first respondent till date. Hence, the petitioner has come forward with the present Writ Petition.

4. The learned learned counsel for the first respondent submitted that even after granting sufficient time to the petitioner, the petitioner has not utilized the same and carried out the project. However, he submitted that the representation of the petitioner will be considered by the first respondent in due course.

5. Considering the submissions of the learned counsel for the respondent, this Court directs the first respondent to consider the representation of the petitioner dated 19.09.2016 and pass appropriate order on merits and in accordance with law, after giving notice to all the necessary parties.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

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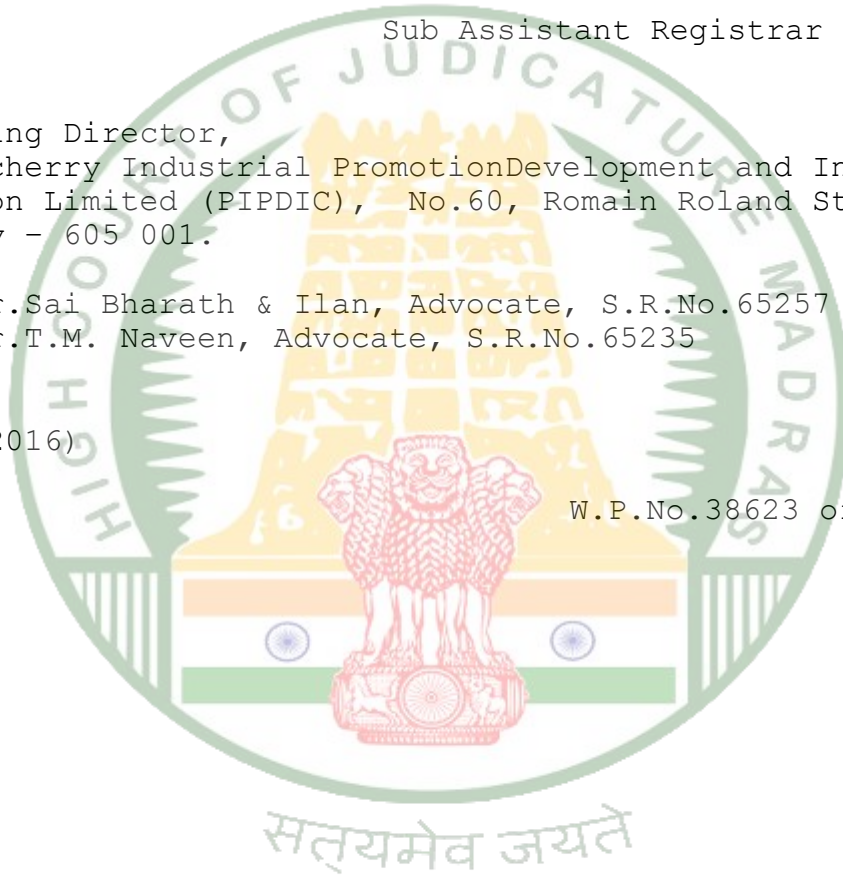
Sub Assistant Registrar

To
The Managing Director,
The Pondicherry Industrial Promotion Development and Investment
Corporation Limited (PIPDIC), No.60, Romain Roland Street,
Puducherry - 605 001.

+1cc to Mr.Sai Bharath & Ilan, Advocate, S.R.No.65257
+1cc to Mr.T.M. Naveen, Advocate, S.R.No.65235

nr(CO)
md(09/12/2016)

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