



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.08.2016

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WEB COPY

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P (MD) No. 15545 of 2016

Sree Senbagham Spintex  
Rep. By its Partner  
M. Amarnath

... Petitioner

Vs.

1. The Managing Director,  
Tamil Nadu Small Industries Development,  
Corporation Limited (SIDCO),  
Near SIDCO Electronic Complex,  
Thiru. Vi. Ka. Industrial Estate,  
Guindy,  
Chennai - 32.

2. The Branch Manager,  
Tamil Nadu Small Industries Development,  
Corporation Limited (SIDCO),  
SIDCO Industrial Estate,  
K. Pudur,  
Madurai - 7.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to execute registered sale deed in respect of the property at Plot No. 11, Measuring 0.91 acres situated at Industrial Estate, Theni, in favour of the Petitioner's concern namely M/s. Sree Senbagham Spintex, by considering the Petitioner's representation, dated 22.01.2015.

For Petitioner : Mr. V. Sankaranarayanan

For Respondents : Mr. K. Guru  
Addl. Govt. Pleader

### ORDER

Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>  
2. By consent, the main Writ Petition itself is taken up for final disposal.



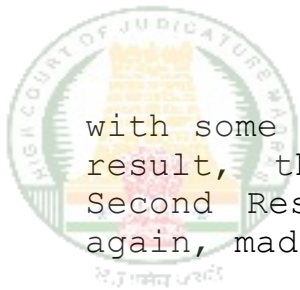
3. No counter is filed on behalf of the Respondents.

4. According to the Petitioner, the Respondents / SIDCO Corporation is established by the Government of Tamil Nadu to develop the Small Scale Industries in the State and the Corporation has its own Bye-laws and Regulations. Accordingly, various lands in the State were identified by the Respondents and sanctioned the same to the interested parties, at the consolidated rate. It is to be noted that the lands sanctioned by the Respondents / Corporation to a person is enjoying the patronage a Nationalized Bank and the SIDCO would also recommend to the Bank to provide necessary financial assistance to the said allottees of the land.

5. As a matter of fact, the Second Respondent is an Authorised Officer to control the SIDCO Complex, established at Theni, Theni District. Accordingly, one M.Muthuraj, M.Amarnath (the Petitioner herein) M.Anandavel and M.Babu Raghavan had formed a Concern called M.M.Synthetics and a land measuring an extent of 0.82 Cents was allotted to the aforesaid Concern, at Industrial Estate, Theni, by the first Respondent and the Concern paid a sum of Rs.1,82,360/-. In fact, the First Respondent had allotted the land, by means of an allotment order, dated 02.05.1995. Thereafter, the First Respondent had directed the M.M.Synthetics, to pay an additional sum of Rs.46,700/- for the reason that the original extent of land is 0.91 Acre instead of 0.82 Cent.

6. Thereafter, the Second Respondent, as per the proceedings, dated 06.08.1999 handed over the possession of Plot No.11, consisting of 0.91 Acre, to the aforesaid M.M.Synthetics. In the meanwhile, M.M.Synthetics had addressed a letter, dated 23.02.2005, whereby and where-under, a request was made to the First Respondent, to transfer the property at Plot No.11 consisting of 0.91 Acre, to the sister Concern viz., M/s.Sree Senbagham Spintex and the another request was accepted by the First Respondent, on 15.09.2006. In this regard, the Petitioner's Concern also executed a Memorandum of Understanding, on 11.10.2006 and also constructed a work-shed to instal a weaving unit and commenced the production on 20.03.2008.

7. It is pertinent to note that the Petitioner's Concern got the financial assistance from the Tamil Nadu Mercantile Bank Ltd., Theni, for the above said project. Thereafter, the Petitioner's Concern had sent a requisition to the Second Respondent, on 03.12.2009, in order to execute the Sale Deed etc. Once again, a representation, dated 19.04.2010, was addressed by the Petitioner reiterating the stand relating to the execution of Sale Deed in favour of the Petitioner Concern. In the meanwhile, the Second Respondent, by means of letter dated 15.06.2012, had directed the Petitioner Concern to approach them for obtaining the Sale Deed



with some particulars given in the annexure of the letter and as a result, the Petitioner's Concern sent a communication to the Second Respondent, on 29.06.2012 with the particulars and once again, made a request for execution of the sale deed in question.

8. Finally, it appears that the Petitioner's Concern sent a representation to the First Respondent on 22.01.2015. As a matter of fact, more than 18 months had elapsed. However, the respondent had not executed any Sale Deed, in respect of the property at Plot No.11, SIDCO Industrial Estate, Theni, in favour of the Petitioner's Concern. Hence, the Petitioner has filed the present Writ Petition.

9. Considering the fact that the Petitioner's representation, dated 22.01.2015, addressed to the First Respondent, is pending on the file of the First Respondent, this Court without going into the merits and contents of the representation of the Petitioner, dated 22.01.2015, in the interest of justice and fair play, directs the First Respondent, to look into the representation and to dispose of the same, by passing a reasoned speaking order, on merits, within a period of six weeks from the date of receipt of a copy of this order (Of-course, after providing necessary opportunity to the Petitioner and others concerned, by following the principles of natural justice).

10. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

**To**

1. The Managing Director,  
Tamil Nadu Small Industries Development,  
Corporation Limited (SIDCO), Near SIDCO Electronic Complex,  
Thiru.Vi.Ka. Industrial Estate, Guindy, Chennai - 32.

2. The Branch Manager,  
Tamil Nadu Small Industries Development,  
Corporation Limited (SIDCO), SIDCO Industrial Estate,  
K.Pudur, Madurai - 7.

+1 CC to M/s.V.SANKARA NARAYANAN, Advocate, SR No.46122

+1 CC to THE SPECIAL GOVERNMENT PLEADER , SR No.46519

**W.P(MD) No.15545 of 2016**

**22.08.2016**