

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WIRT PETITION No.10487 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the Corporation.

As can be seen from the affidavit, it is the case of the petitioner that he applied for allotment of industrial plot in the Industrial Park at Chittoor and also paid an initial amount of Rs.83,312/- apart from the process deposit of Rs.1,000/-, on 21.09.2012. Thereafter, vide proceedings dated 28.02.2013 the petitioner was intimated about the allotment of a Plot of 484 Sq.Mtrs., opposite to Plot Nos.80 and 81 and the petitioner was directed to pay the balance amount within 90 days from the date of allotment i.e., 28.02.2013. However, on account of agitation in relation to bifurcation of the erstwhile State of Andhra Pradesh, the petitioner could not run the business and went into financial distress. Thereby, he could not comply with the allotment conditions as intimated vide letter dated 28.02.2013 of the Corporation. Thereafter, the petitioner was informed vide letter dated 16.04.2014 of the Corporation about the cancellation of the allotment and a sum of Rs.72,312/- was returned to the petitioner. Now the petitioner is financially well of and would like to establish the industry and he is also ready to comply with the conditions of the respondent-corporation for allotment of plot and also ready to pay the market price. In that view of the matter, the petitioner prays for a direction to the respondent authorities, particularly respondent Nos.2 and 3, to consider his request to allot the plot opposite to the existing plot of the petitioner i.e., Plot Nos.80 and 81.

Learned counsel for the respondent corporation submits that there is no objection for such order, however the request of the petitioner for allotment of the plot would be considered subject to availability and fulfilment of the conditions as may be laid down by the corporation.

In the light of the prayer made by the petitioner, who is seeking for allotment of an industrial site for setting up of an industry subject to the availability of the land in the industrial estate, there can be no objection from any quarter for considering the application made by the petitioner. In that view of the matter, there shall be a direction to the respondent authorities to consider the application of the petitioner and take necessary steps for allotment of the site to the petitioner in accordance with the existing procedure of the Corporation for allotment of the industrial site, subject to feasibility and availability of the site.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Dated: 01.04.2016

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