

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2017

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THE HON'BLE MR. JUSTICE **M.DURAISWAMY**

W.P.No.5266 of 2017

M/s.Muruganantham Chemical & Co. [ Petitioner ]  
rep. by its Partner Mr.P.Perumal  
No.65 SIDCO Industrial Estate  
Kakkalur, Thiruvallur 602 003

Vs

- 1 The Government of Tamilnadu  
rep. by its Secretary  
Department of Micro and Macro Industries  
Chepauk Chennai
- 2 The Tamilnadu 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  
Kakkalur 602 003 Thiruvallur District

[ Respondents]

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to pass appropriate orders of ratification on the basis of G.O.Ms. No.21 dated 29.3.2016 to enable the 2nd and 3rd respondents to execute sale deed for developed Plot No.65 measuring an extent of 0.246 acres in the SIDCO Industrial Estate at Kakallur comprised in SF No.275 Part of Kakallur Village in Thiruvallur District in favour of the petitioner

For Petitioner : Mr.V.Srinivasa Babu

For Respondents : Mr.A.N.Thambidurai, SGP (R1)

Mr.Abdul saleem (R2&3)

**ORDER**

Heard the learned counsel for the petitioner, Mr.A.N.Thambidurai, learned Special Government Pleader for the 1<sup>st</sup> respondent and Mr.Abdul Saleem, learned counsel for the 2<sup>nd</sup> and 3<sup>rd</sup> respondents.

2. The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 1st respondent to pass appropriate orders of ratification on the basis of G.O.Ms.No.21 dated 29.03.2016 to enable the 2nd and 3rd respondents to execute the sale deed for developed Plot No.65 measuring an extent of 0.246 acres in the SIDCO Industrial Estate at Kakallur comprised in SF No.275 Part of Kakallur Village in Thiruvallur District in favour of the petitioner.

3. When the matter is taken up for hearing, the learned counsel on either side submitted that the matter is covered by the Order of this Court passed in W.P.No.26556 of 2015 dated 04.01.2016. In the said order, in paragraph No.2 and 3, it has been stated as follows:-

*“2. When the matter is taken up for hearing, learned counsel appearing for respondent 1 and 2 submitted that the issue of ratification is pending consideration with the 3<sup>rd</sup> respondent as seen from the Letter in Rc.No.4385/IB5/2010 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 visualized 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 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 3<sup>rd</sup> respondent to pass appropriate orders with regard to ratification of allotments, as requested by the 1<sup>st</sup> respondent vide letter No.Rc.No.4385/IES/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 3<sup>rd</sup> respondent, respondent 1 and 2 will have to take action accordingly. No costs.”*

**M.DURAIWAMY, J.**

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4 The learned counsel on either side submitted that the writ petition may be disposed of following the order passed in W.P.No.26556 of 2015.

5. In view of the submissions made by the learned counsel on either side, the writ petition is disposed of by directing the 1<sup>st</sup> respondent to pass appropriate orders with regard to ratification of allotment, as requested by the 2<sup>nd</sup> respondent 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 1<sup>st</sup> respondent, respondent 2 and 3 will have to take action accordingly. No costs.

06.06.2017

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**Note: Issue order copy next week.**

To

- 1 The Government of Tamilnadu  
rep. by its Secretary  
Department of Micro and Macro Industries  
Chepauk Chennai
- 2 The Tamilnadu Small  
Industries Development Corporation  
rep. by its Chairman and Managing Director  
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