

In the High Court of Judicature at Madras

Dated: 11.01.2017

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The Honourable Mr.JUSTICE B.RAJENDRAN

W.P.No.934 OF 2017

AND

WMP Nos.937 and 938 of 2017

1 M/s.Fine Green Constructions
Pvt. Ltd., Rep. By its Managing Director,
Mr.Ambica Krishna, 4-66/1, Gowtham Road,
Industrial Estate, Eluru 534 006,
Varangal District, Andhra Pradesh. [PETITIONER
]

Vs

1 The Union of India,
Rep. By the Principal Secretary to
the Ministry of Railways,
Next to Safdarjung Railway Station,
Moti Bagh I, New Delhi 110 021.
2.The Senior Divisional Commercial Manager,
Salem Railway Division,
Southern Railways,
Salem, Tamil Nadu.
3.The Rail Land Development Authority,
Rep. By its Deputy General Manager/Land I,
Next to Safdarjung Railway Station,
Moti Bagh I, New Delhi 110 021. [RESPONDENTS]

Prayer: Writ petition filed under Article 226 of the constitution of India for issuance of a writ of certiorarified mandamus to call for the records of the third respondent in Ref No.RLDA/2014/Project/MFC/LA/Salem File No.:Mfc/196 dated 26.12.2016 and quash the same as being illegal and invalid and thereby direct the third respondent to grant extension of time for paying the third installment of the lease premium and the 1st annual lease amount.

For Petitioner : Mr.R.Thiagarajan

For Respondents: Mr.P.T.Ramkumar

O R D E R

The petitioner has filed this writ petition for the relief stated therein.

2.Heard both sides.

3.After some elaborate arguments, the learned Counsel for the petitioner has fairly submitted that the petitioner will extend the bank guarantee which is going to expire on 17.01.2017, for a period of one year and as far as the extension of time for payment is concerned, he fairly submitted that the petitioner will pay the third installment due which was to be paid on 11.12.2016, would be paid without default on or before 31.01.2017.

4. The above said undertaking is recorded. Learned counsel for the respondents has stated that the entire ground floor has already been occupied by Anandha Hotel, Aavin Parlour, Himalaya Pharmacy Stores, Srinivasa Cafe and the same is also recorded. In that view of the matter, this court only extends the time for payment of the third installment only upto 31.01.2017. It is made clear that no further extension of time will be granted. If the bank guarantee is not extended by the petitioner before 17.01.2017, the extension of time granted will also stand cancelled automatically.

The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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+2 ccs to Mr.R.Thiagarajan Advocate sr 2959

+1 cc to Mr.P.T.Ramkumar Advocate sr 2902

W.P.No.934 of 2017

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