

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.4710 of 2011 and

M.P.No.1 of 2011

M/s.M.M.Furniture Works
Rep by its Proprietrix
Mrs.M.Jayanthi,
No.67, Tiny Sector,
Guindy Industrial Estate,
Ekkaduthangal,
Chennai 600 097.

... Petitioner

Vs

The Chairman and Managing Director,
Tamil Nadu Small Industries development
Corporation Limited (SIDCO),
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai 600 032.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the respondent to allot the vacant site behind T.S.67 situated at Guindy Industrial Estate, Ekkaduthangal, Chennai 600 097, as due to the other allottees based upon the representations of the petitioner dated 19.02.2007, 15.02.2010 and 26.12.2010.

For Petitioner : Mr.S.Kumara Devan

For Respondent : Mr.B.Manoharan

O R D E R

Heard Mr.S.Kumara Devan, learned counsel for the petitioner and Mr.B.Manoharan, learned counsel appearing for the respondent.

2. The petitioner has approached this Court, seeking the following relief,

"To issue a writ of Mandamus, to direct the respondent to allot the vacant site behind T.S.67 situated at Guindy Industrial Estate, Ekkaduthangal, Chennai 600 097, as due to the other allottees based upon the representations of the petitioner dated 19.02.2007, 15.02.2010 and 26.12.2010."

3. The case of the petitioner is as follows:-

It appears that the petitioner has already approached this Court on earlier atleast two occasions. In one of the occasions, this Court has given a direction on 16.08.2004 itself in W.P.No.23217 of 2004, wherein, this Court has directed the respondent to consider their representation for allotment of the surplus land for extension of the business of the petitioner. In response to the direction passed by this

Court, an order came to be passed on 28.09.2004, stating that the land required by the petitioner comes under common purpose area. Therefore, their request for allotment cannot be acceded to.

4. The petitioner has once again approached this court, seeking to issue a Writ of Mandamus, directing the respondent to consider their representation once again. The petitioner having chosen to approach this Court on earlier occasions and have obtained orders, the request of the petitioner having been rejected on the above stated ground, once again cannot seek such similar direction to the respondent. Once the request of the petitioner had been considered on merits and was rejected, there is no justification on the part of the petitioner to seek a similar direction by way of separate writ petition.

5. Therefore, this Court does not find any merit in the present writ petition and therefore, the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gsk
To

The Chairman and Managing Director,
Tamil Nadu Small Industries development
Corporation Limited (SIDCO),
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai 600 032.

+lcc to Mr.S.Kumaradevan, advocate Sr.No.1600

GJII(CO)
sm:14.2.2018

W.P.No.4710 of 2011

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