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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2019

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI, J.

W.P.No.25003 of 2005

South East Pharmaceuticals
Represented by its Proprietor,
Mr.A.Selvakumar,
Old SBI Building,
SIDCO Estate, Chennai-600 008.

...Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by its Secretary to Government,
Industries Department,
Fort St.George, Chennai-9.

2. Tamil Nadu Small Industries Development Corporation Ltd.,
represented by its Chairman & Managing Director,
Paulwel's Road, Kathipara Junction,
Chennai-600 016.

3. The Branch Manager,
SIDCO,
Ambattur Industrial Estate,
Chennai-98.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records comprised in Rc.no.14188/R6/98-2, dated 28.10.2003 in as much as the fixation of the licence fee and the consequential order as made in Rc.No.6700/R6/04 dated 04.05.2005 on the file of the 2nd respondent and quash the same and consequently direct the second respondent to fix the rent/licence fee as per the circular No.3239/D5/2001 dated 23.03.2001 on the file of the 2nd respondent.

For Petitioner : Mr.R.Bharanidharan

For Respondents: Mrs.K.Bhuvaneswari, AGP for R1.

Mr.S.Jaswanth, for R2



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O R D E R

This petition has been filed by the petitioner for issuance of a writ of Certiorarified Mandamus, to call for the records comprised in Rc.no.14188/R6/98-2, dated 28.10.2003 in as much as the fixation of the licence fee and the consequential order as made in Rc.No.6700/R6/04 dated 04.05.2005 on the file of the 2nd respondent and quash the same and consequently direct the second respondent to fix the rent/licence fee as per the circular No.3239/D5/2001 dated 23.03.2001 on the file of the 2nd respondent.

2. A perusal of the records shows that in the absence of any interim order, the matter is pending for more than 10 years.

3. The learned counsel for the petitioner would fairly submit that the petitioner has paid the rent regularly, as fixed by SIDCO, as per the directions issued by the Government. However, he would further submit that liberty may be granted to the petitioner to make a representation to the concerned authorities, if the petitioner is entitled to get any differential amount as per the Government Order.

4. Accordingly, the writ petition stands closed. No costs. The petitioner is granted liberty to work out his necessary remedy before appropriate forum in the manner known to law. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

ssb

To

1. The Secretary to Government,
Government of Tamil Nadu,
Industries Department,
Fort St.George, Chennai-9.
2. The Chairman & Managing Director,
Tamil Nadu Small Industries Development Corporation Ltd.,
Paulwel's Road, Kathipara Junction,
Chennai-600 016.



3.The Branch Manager,
SIDCO,
Ambattur Industrial Estate,
Chennai-98.

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+1cc to Mr.R.Karthikeyan, Advocate, S.R.No.54114
+1cc to the Government Pleader, S.R.No.54482
+1cc to Mr.S.Yashwanth, Advocate, S.R.No.54172

W.P.No.25003 of 2005

EV (CO)

RRS (13/08/2019)