

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.508 of 2020
and CMP No7459 of 2020

M/s Jaya Sakthi Leathers (P) Ltd.,
Company constituted under Companies Act,
Rep by its Managing Director,
Nr,M,P.Adimoolam,
Plot Nos.19-24,
Opp to Pondicherry Dairy,
Pondicherry Appellant/Petitioner

-vs-

1. The Finance Secretary,
Chief Secretariat,
Beach Road,
Pondicherry.
2. The Secretary (Industries),
Chief Secretariat, Beach Road,
Pondicherry.
3. The Director of Industries,
Thathanchavady,
Pondicherry.
4. The Chairman,
Puducherry Industrial Promotional
Development and Investment Corporation Ltd.,
No.60, Romain Rolland Street,
Puducherry.
5. The Managing Director,
Puducherry Industrial Promotional
Development and Investment Corporation Ltd,
No.60, Romain Rolland Street,
Puducherry.

6. The General Manager,
Puducherry Industrial Promotional Development and
Investment Corporation Ltd.,
No.60, Romain Rolland Street, Puducherry.

7. M/s Anuradha

8. Mr.M. Krishnan

9. The District Registrar,
Department of Registration,
Saram Revenue Complex,
Pondicherry

... Respondents

Prayer:Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 11,03,2020 in W.P.No.29707 of 2015 on the file of this Court.

Prayer in W.P.No.29707 of 2015:

Writ Petition filed under Article 226 of the Constitution of India Prayer for issuance of Writ of Certiorarified Mandamus Calling for the entire records pertaining to the auction of the petitioners property situated in Plot Nos.15 to 23 in R.S.No.2 in Cad No.3 situated at Kurumbapet Pondicherry dated 10.07.2014 thereby confirming the same vide proceedings in No.PIPDIC/FP/SSI/805/97/R.R.Cell-III/2470 dated 18.06.2015 and quash the same and consequently direct the Respondents to conduct fresh sale by including the Plot No.24 in R.S.No.2 in Cad No.3 situated at Kurumbapet Pondicherry.

For Appellant : Mr.V. Anil Kumar

For R.4 to R.6 : Mr.D. Ravichandran

JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

We have heard learned counsel for the appellant, who advanced his submissions contending that the manner in which the sale was conducted in favour of the seventh respondent, is procedurally invalid. He, therefore, submits that the learned Single Judge without appreciating the said aspect of the matter, has dismissed the writ petition and has also imposed a cost of

Rs.50,000/- (Rupees fifty thousand only) inspite of the fact that the appellant was pursuing his bona fide legal remedy before this Court.

2. We have considered the submissions at length and we find that every eventuality has been tested on the legal principles by the learned Single Judge which is a well discussed judgment and we do not find ourselves to have a different opinion about the same. The entire litigative pursuit which has been traced out by the learned Single Judge is self explanatory and sufficient to deny discretionary relief to the appellant.

3. We, therefore, do not find any factual or legal error in the conclusion arrived at by the learned Single Judge on the issues raised.

4. On the issue relating to imposition of cost, having heard learned counsel for the parties, we find sufficient reasons to reduce the cost to Rs.5,000/- (Rupees five thousand only).

5. The appeal is disposed of with the aforesaid modification. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

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Saram Revenue Complex,
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srg 31/07/2020



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