

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.03.2021
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.5175 of 2021 &
W.M.P.Nos.5738 & 6023 of 2021

M/s. Sri Sai Chinnamman Mines,
Represented by its Managing Partner,
Mr.S.Balaji, 51 years,
1-196, G.N.T.Road, Karanodai,
Sholavaram Post, Chennai- 600 067.

... Petitioner

Vs

The Managing Director,
State Industrial Promotion Corporation of Tamil Nadu,
19-A, Rukmani Lakshmipathy Road,
Post Box No.7223, Egmore,
Chennai - 600 008.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records on the file of the respondent in P-II/SICG/Sri Sai Chinnamman Mines/2020 dated 16.02.2021 and quash the same as illegal, irregular and without jurisdiction and further direct the respondent to accept the payment towards Plot No.J15, SIPCOT Industrial Estate, Gummidipoondi on any day, on or before 14.03.2021 and in default, permit the petitioner to pay interest thereon and allot the plot to the petitioner.

For petitioner ... Mr.V.Raghachari
For Respondent ... Mr.M.Karthikeyan
Standing Counsel

ORDER

This Writ Petition has been filed challenging the order dated 16.02.2021 cancelling the petitioner's allotment in respect of plot No.J15, SIPCOT Industrial Estate, Gummidipoondi.

2. Mr.M.Karthikeyan, learned Standing Counsel accepts notice on behalf of the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

3. Heard Mr.V.Raghachari, learned counsel for the petitioner and Mr.M.Karthikeyan, learned Standing Counsel appearing for the respondent.

4. On instructions, learned Standing Counsel would submit that the respondent is willing to receive a sum of Rs.1,41,54,275/- as per the allotment order for plots dated 15.12.2020 from the petitioner, if they pay the same on or before 20.03.2021. Learned standing counsel for the respondent on instructions would submit that on receipt of the payment on or before the stipulated date, the respondent is willing to execute the lease deed in terms of the allotment order dated 15.12.2020 in favour of the petitioner. For the submission made by the learned standing counsel for the respondent, learned counsel for the petitioner on instructions agrees for the same.

5. After recording the submissions made by the respective counsels, this Court directs the petitioner to pay a sum of Rs.1,41,54,275/- to the respondent on or before 20.03.2021. On receipt of the said payment, the impugned order dated 16.02.2021 is quashed and the respondent is directed to execute the lease deed in terms of the allotment order dated 15.12.2020 in favour of the petitioner. If the petitioner fails to pay the aforesaid sum on or before 20.03.2021, the impugned order shall stand restored.

6. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

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To

The Managing Director,
State Industrial Promotion Corporation of Tamil Nadu,
19-A, Rukmani Lakshmipathy Road,
Post Box No.7223, Egmore,
Chennai - 600 008.

+1 cc to Mr.V.Raghavachari Advocate srl4392

W.P. No.5175 of 2021

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