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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.10459 of 2021

and

W.M.P No.11056 of 2021

M/s. SRI Annanmar Modern Rice Mill
Rep. by its Proprietor
T.Mylendiran
S/o.V.S.Thangamuthu
RS No.502/10, Kanthalampudur
Thattampalayam Post
Sivagiri (Via)
Erode District.

...Petitioner

vs

1.The Secretary to Government
of Tamil Nadu
Department of Industries
Fort St. George
Chennai-600 009.

2.The Managing Director
Tamil Nadu Industrial Investment
Corporation Ltd.,
Head Office MHU Complex
692 Anna Salai
Nandanam, Chennai-600 035.

3.The Branch Manager
Tamil Nadu Industrial Investment
Corporation Ltd.,
Erode Branch,
C.S.Sengottaiah Complex, II Floor
No.23, Chidambaram Colony
80 Feet Road
Periyar Nagar, Erode District.

...Respondents

Prayer:- This Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 21.3.2021 and 25.3.2021 in accordance with law by extending the time to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs) on or before 30.06.2021 to secure the ends of justice.



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For Petitioner : Mr. R.Sankarasubbu
For Respondents : Mr. A.Selvendran for R1
Government Advocate
Mr.K.Magesh for R2 & R3

O R D E R

The petitioner has filed this writ petition seeking for extension of time to pay a sum of Rs.10,00,000/- besides regular instalments.

2. According to the petitioner, the petitioner has given an undertaking to pay the monthly due amount of Rs.10,00,000/- to the third respondent. Due to the reasons stated in the affidavit, he could not able to pay the amount of Rs.10,00,000/- to the third respondent. Therefore, he has filed the present writ petition. Further, according to the petitioner, he has paid Rs.5,00,000/- to the third respondent and only balance amount of Rs.5,00,000/- is payable to the third respondent. The aforesaid balance amount will be paid from today onwards, besides regular payment of the petitioner.

3. The learned standing counsel appearing for the respondents 2 & 3 objected for the delay in payment of the said due amount. The petitioner seeks time to pay the due amount till 30.06.2021. Therefore, the aforesaid prayer has become infructuous. The petitioner has come forward to settle the aforesaid balance amount of Rs.5,00,000/- finally within a period of four weeks time, besides regular payment paid by the petitioner. Therefore, the said request of the petitioner may be sympathetically considered by this Court by granting four weeks time for paying Rs.2.5 lakhs as one installment on or before 30.07.2021 and the remaining amount of Rs.2.5 lakhs on or before 15.08.2021, besides, the petitioner has to pay the regular due amount to the respondents as per the undertaking given before the Corporation from the month of August 2021. If any default of the regular monthly due amount to the respondents, liberty is given to the first respondent to proceed against the petitioner in accordance with law. Further, it is clear that no further time will be granted, if the petitioner seeks extension of time.

4. In view of the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar



To

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Periyar Nagar, Erode District.

+1cc to Mr.R.Sankara Subbu, Advocate, S.R.No.33438

+1cc to Mr.K.Magesh, Advocate, S.R.No.33147

+1cc to the Government Pleader, S.R.No.32913

W.P. No.10459 of 2021
and
W.M.P No.11056 of 2021

CP(CO)
RVM(28/07/2021)