

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2021

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P.No.16201 of 2020

and

WMP.Nos.20226 & 20227 of 2020

M/s.Lotus Roofings Ltd.,

formerly known as

M/s.Lotus Roofings Pvt. Ltd.,

rep. by its Director R.Elango

having its registered office at

C-45, III Phase,

Thiru Vi.Ka. Industrial Estate,

Guindy, Chennai-600 032,

Tamil Nadu, India.

..Petitioner

Vs.

1.The Managing Director,

State Industries Promotion Corporation of

Tamil Nadu (SIPCOT),

19-A, Rukmani Lakshmipathy Road,

Egmore, Chennai-600 008.

2.The Project Manager,

State Industries Promotion Corporation of

Tamil Nadu (SIPCOT),

No.27/15, Tambaram Road,

Patnoolchathram (opp to BDO office),

Sriperumbudur Town, Sriperumbudur Taluk,

Kancheepuram District-602 105.

..Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorari, calling for the impugned order issued by the first respondent dated 05.10.2020 in Ref No.P.III/SPR/97/lotus/2104 and to quash the same.

For Petitioner : Mr.R.Muthukumar

For Respondents: Mr.Vijay Narayanan, AG

Assisted by

Mr.M.Karthikeyan, SGP

O R D E R

Challenging the order passed by the first respondent dated 05.10.2020 in Ref No.P.III/SPR/97/lotus/2104, the present Writ Petition has been preferred by the petitioner before this Court.

2.Heard Mr.R.Muthukumar, learned counsel for the petitioner and Mr.Vijay Narayanan, learned Advocate General appearing on behalf of the respondents/SIPCOT.

3.The petitioner's Company was allotted a Plot bearing No.K3/2 in the year 2011 for establishment of a factory in SIPCOT Industrial Park, Sriperumbadur. The petitioner has not made any developments in the said plot allotted for the industrial purpose by the SIPCOT and therefore, the first respondent by order dated 05.10.2020, cancelled the order of allotment issued in favour of the petitioner's Company.

4.When this matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that he has filed an affidavit of the petitioner dated 17.03.2021, undertaking to pay the differential costs as claimed by the Department on the advice of the learned Advocate General. Perusal of the affidavit of the petitioner reveals that the petitioner had rendered his consent for payment of differential costs of Rs.97 lakhs as stated in the counter affidavit of the respondents dated 09.12.2020.

5.At this juncture, the learned counsel for the petitioner has expressed the grievance of the petitioner's Company that though the petitioner's Company had paid the required water charges, they have not been provided with water service connection. The respondents shall also ensure that the petitioner has been provided with necessary water service connection as per the terms of the agreement, within a period of eight weeks from today. सत्यमेव जयते

6.In view of the foregoing reasons, the impugned order dated 05.10.2020 passed by the first respondent is hereby set aside and consequently, the Writ Petition is allowed in the following terms:

- (i)The respondents are directed to permit the petitioner to complete the project within a period of 18 months from today.
- (ii)The respondents shall permit the petitioner to pay the differential costs on 12 monthly installments, which shall commence from 5th of April, 2021.

No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

DP

To

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PL (CO)
RG.27.04.2021 (3p/3c)

सत्यमेव जयते
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