



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM:

The Hon'ble Mr. Justice Krishnan Ramasamy

W.P.No.28558 of 2018  
and  
W.M.P.No.1259 of 2019

A.Munikrishnan

...Petitioner

Vs

- 1.The Principal Secretary to Government,  
Micro, Small and Medicine Enterprises Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.
- 2.The Principal Secretary and the Industries  
Commissioner and the Director of Industries,  
SIDCO, Administrative Office,  
Guindy, Chennai - 600 032.
- 3.The Deputy Director of Industries and  
Commerce (Electrical and Electronics)  
Administrative Office,  
Dr.Vikram Sarabhai Instronics Estate,  
Thiruvannamiyur, Chennai - 600 041.
- 4.The Chairperson and Managing Director,  
Tamil Nadu Small Industries Development  
Corporation Ltd.,  
Thiru.Vi.Ka Industrial Estate,  
Guindy, Chennai - 600 032.  
(Impleaded vide Court order dated 22.01.2019 made  
in W.M.P.No.1398/2019 in W.P.No.28558/2018)

...Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent herein to consider the claim of the Petitioner for conferring the benefit of right to run the canteen by the Petitioner at Plot No.22, Electronic Industrial



Estate, Perungudi, Chennai - 600 096 on a permanent basis as has been done in the identical case of one Mr.Ramasamy, who is running the canteen in the Industrial Estate, Hosur by considering the representation of the petitioner dated 06.10.2018 by invoking Section 19 of the Act 1 of 1976 and pass orders within a time frame that may be fixed by this Court and till such time right of the petitioner to run the canteen may be safeguarded by directing the respondents not to dispossess the petitioner from the premises.

For Petitioner : M/S.K.Rajkumar

For R1 & R2 : Mr.K.M.D.Muhilan  
Government Advocate

For R4 : No appearance

O R D E R

This Writ Petition has been filed by the petitioner, seeking mandamus on the first respondent to dispose of the petitioner's representation, dated 06.10.2018, by considering his claim to run the Canteen, as has been done in an identical case of one Mr.Ramasamy, who is running the canteen in the Industrial Estate, Hosur.

2. Mr.K.Rajkumar, the learned counsel appearing for the petitioner submits that the petitioner made a representation before the first respondent for the purpose of permanent allotment to run the canteen as it was done in the identical case one Mr.Ramasamy, in W.P.No.10132 of 2011, who is running the canteen on the permanent basis in the same campus, situated at Hosur, however, the same has not evoked any response, hence, this Writ Petition.

3. Mr.K.M.D.Muhilan, learned Government Advocate for the respondents 1 and 2 submits that, the Government has taken a policy decision in handing over the Pergundi Industrial Estate to SIDCO for ensuring better maintenance of common infrastructure, thereby, providing enhanced facilities to the entrepreneurs functioning in the estate, as such, the powers are vested with the SIDCO to decide the issue, therefore, the petitioner may make representation before the SIDCO, upon which, the SIDCO, after taking into consideration of all other material facts, relevant rules and regulations and in compliance of the guidelines, if any, would pass appropriate orders.



4. In view of the above, this Court directs the petitioner to make representation before the second respondent-SIDCO seeking for allotment of Canteen on permanent basis, within a period of four weeks from the date of receipt of a copy of this order. On receipt of such representation, the second respondent-SIDCO, after taking into consideration of all other material facts, relevant rules and regulations, and in compliance of the guidelines if any, shall consider and pass appropriate orders on merits and in accordance with law within a period of two weeks thereafter.

5. Accordingly, the Writ Petition is disposed of. No costs. Till final orders are passed by the second respondent, the interim order of status quo already granted by this Court earlier shall continue. Consequently, W.M.P.No.1259 of 2019, stands closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jd/sd

To

- 1.The Principal Secretary to Government,  
Micro, Small and Medicine Enterprises Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.
- 2.The Principal Secretary and the Industries  
Commissioner and the Director of Industries,  
SIDCO, Administrative Office,  
Guindy, Chennai - 600 032.
- 3.The Deputy Director of Industries and  
Commerce (Electrical and Electronics)  
Administrative Office,  
Dr.Vikram Sarabhai Instronics Estate,  
Thiruvanniyur, Chennai - 600 041.



4.The Chairperson and Managing Director,  
Tamil Nadu Small Industries Development  
Corporation Ltd.,  
Thiru.Vi.Ka Industrial Estate,  
Guindy, Chennai - 600 032.

+1 CC to Mr.K.Rajkumar, Advocate sr 59838  
+1 CC to The Government Pleader sr 60305.

W.P.No.28558 of 2018

and  
W.M.P.No.1259 of 2019

KSM(CO)  
SP(27/12/2021)