



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 27.07.2021

DELIVERED ON : 01.09.2021

WEB COPY

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

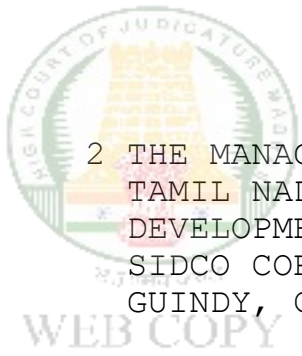
W.P. (MD) Nos. 6906, 6907, 6909, 9607, 9609, 9611, 9612 and 9614 of
2021
and

W.M.P. (MD) Nos. 5297, 5301, 5304, 7359, 7360, 7361, 7362 and 7363, 7487 to
7489 of 2021

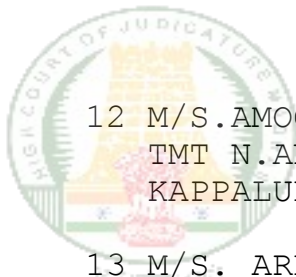
S.BHAGYALAKSHMI	... PETITIONER IN WP (MD) No. 6906/2021
S.KALIRAJAN	... PETITIONER IN WP (MD) No. 6907/2021
M.MUTHUKUMAR	... PETITIONER IN WP (MD) No. 6909/2021
ALAGARSAMY	... PETITIONER IN WP (MD) . 9607/ 2021
G.GURUNATHAN	... PETITIONER IN WP (MD) . 9609/ 2021
KAMALAVENI	... PETITIONER IN WP (MD) . 9611/ 2021
RAJITHA PLASTICS REP BY ITS MANAGING PARTNER, D.GUNA SINGH	... PETITIONER IN WP (MD) . 9612/ 2021
SHRIYA POLYMERS REP BY ITS MANAGING PARTNER, K.SRINIVASAN	... PETITIONER IN WP (MD) . 9614/ 2021

Vs.

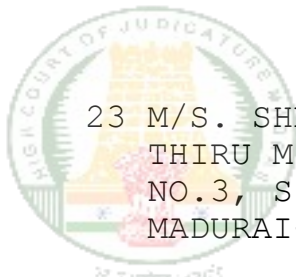
1 STATE OF TAMILNADU
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF MICRO, SMALL AND MEDIUM ENTERPRISES,
FORT ST. GEORGE, CHENNAI.



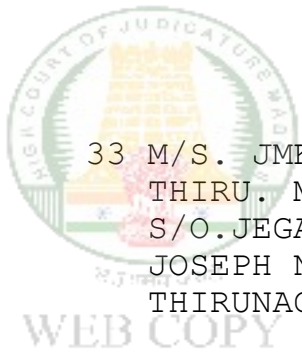
- 2 THE MANAGING DIRECTOR,
TAMIL NADU SMALL SCALE INDUSTRIES
DEVELOPMENT CORPORATION LIMITED (TANSIDCO),
SIDCO CORPORATE OFFICE, THIRU. VI.KA. INDLESTATE,
GUINDY, CHENNAI-32.
- 3 THE DEPUTY GENERAL MANAGER, (POLICY),
TAMIL NADU SMALL SCALE INDUSTRIES
DEVELOPMENT CORPORATION LIMITED (TANSIDCO),
SIDCO CORPORATE OFFICE,
THIRU.VI.KA.INDLESTATE, GUINDY, CHENNAI-32.
- 4 THE BRANCH MANAGER,
SIDCO INDUSTRIAL ESTATE K.PUDUR,
MADURAI-07.
- 5 M/S.RAGUL POLYMER,
TMT.J.SIVAGAMI RAJEE,
P.NO.52, SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI 625008.
- 6 M/S.ANITHA METALS AND AMP, KITCHENWARES,
THIRU ARTHESH RAMAMOORTHY SHANUGANANTHAN,
NO.4, MYNA THEPPAKULAM 4TH STREET,
KAMARAJAR SALAI, KEELAVASAL,
MADURAI 625009
- 7 M/S. ARUN SUBU TRADING
TMT. S.MEENA, 99/A SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI-8
- 8 M/S.ARK BAKERY CORPORATION
TMT.A. HARSHINI, 49 TOWN HALL ROAD,
MADURAI -625 001.
- 9 M/S. MADURAI ORIGINAL MITTAI KADAI,
TMT. G.RAMYA, NO.51/1 ELANGO ADIGAL STREET,
K.K.NAGAR, MADURAI - 625 020.
- 10 M/S.MAARUTHI ENTERPRISES
THIRU VEMBU SUNDARAM MANIVANNAN,
NO.3, SOWBAGYA NAGAR 4TH STREET,
THIRUNAGAR, MADURAI - 625006.
- 11 M/S.IHITA INDUSRIES PVT LTD
THIRU SATHISH KUMAR,
C 45, SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI.



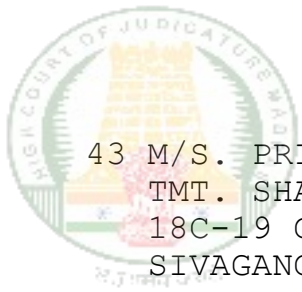
- 12 M/S.AMOGHA CLAMPS
TMT N.ANITHA, CS2 SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI.
- 13 M/S. ARR PACKAGING
TMT. M.NITHYA, SHED NO.40,
SIDCO INDUSTRIAL ESTATE,
KAPPALUR, THIRUMANGALAM, MADURAI-8
- 14 M/S. SRI MURUGAN POLYMERS
TMT KALAIVANI B-12,
AUTOMOBILE INDUSTRIAL ESTATE,
KAPPALUR, MADURAI 625008
- 15 MS/. THIRUCHENDUR PLASTICS
THIRU KARTHIK MUTHUSWAMY,
D-3/C SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI - 625 008.
- 16 M/S. PANDIAN PLASTIC INDUSTRIES,
THIRU S.SENTHIL 99, SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI-625008
- 17 M/S. LINGA'S PET PACKAGING
TMT GOMATHI DHANABAL,
22 A SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI-625008
- 18 M/S. MADURA PET POLYMERS PVT. LTD,
THIRU GANAPATHI, M A-12 AND 13,
MADURAI AUTOMOBILE CO-OPERATIVE INDUSTRIAL ESTATE,
KAPPALUR, MADURAI-625008
- 19 M/S. SRI RAJA AND CO
THIRU RAGHUNATHA RAJA,
1-VETRI VINAYAGAR KOVIL STREET,
SUNDAR NAGAR, THIRUNAGAR, MADURAI- 625008
- 20 M/S.SAI KRUPA WORKS
THIRU D SELVA KUMAR, 27 D- NEHRU NAGAR,
4TH STREET, TVS NAGAR, MADURAI 625 003.
- 21 M/S. SRINIVASA PACKAGING
THIRU THIRUPATHY. K 7/25-POONGA STREET,
PANDIYAN NAGAR, THIRUNAGAR, MADURAI-625006.
- 22 M/S.EL TECH ENGINEERING
THIRU P.MARIMUTHU, S/O.PITCHAI,
29 A VISALATCHI STREET, THIRUNAGAR,
MADURAI 625 006.



- 23 M/S. SHRI PLASSTECH
THIRU M.SRINIASAN,
NO.3, SIDCO, WOMEN INDUSTRIAL PARK,
MADURAI-8.
- 24 M/S.AMMAN POLYMERS
THIRU S.ANANTHAN, CS-10,
SIDCO, KAPPALUR, MADURAI 625008.
- 25 M/S. COIMBATORE PAPER PRODUCT
THIRU. PERUMAL. P, SM2-SRIVAANAGA AVENUE,
NETHAJI NAGAR, VASANTHAM VILAS,
THANAKKANKULAM, MADURAI 625 006
- 26 M/S. ATHNA ENGINEERING WORKS,
THIRU. S.KANNAN, B-4 MADURAI AUTOMOBILE
CO- OP INDUSTRIAL ESTATE, KAPPALUR,
MADURAI-625008
- 27 M/S. GK TECHNO PACK
TMT. G.KAVITHA,
INDUSTRIAL PLOT NO.20,
TNHD, WEAT ANUPPANANDI,
MADURAI -625009
- 28 M/S. PADMASHRI INDUSTRY INDUSTRIAL,
THIRU. DEEPAK SEKARAN, PLOT NO.20,
TNHB, MELA ANUPANADI, MADURAI-625009
- 29.M/S.PADMASHRI BRUSH WORLD,
TMT. S.NALINI, PLOT NO.80
WOMENS INDUSTRIAL PARK,
KAPPALUR, MADURAI-625020
- 30 M/S.YAZHINI ENTERPRISES
TMT. S.DEIVAKANI,
SHED NO.185, SIDCO INDUSTRIAL ESTATE,
KAPPALUR, MADURAI-8
- 31 M/S. ASN RUBBER INDUSTRIES
TMT. SARASWATHY ARAVIND,
NO.77, CHITRAKALA COLONY,
THIRUNAGAR, MADURAI-625006.
- 32 M/S.GM INDUSTRIES,
TMT. G.DHANALAKSHMI 77, MASILAMANI STREET,
CHITRAKALA COLONY, THIRUNAGAR, MADURAI-6



- 33 M/S. JMK INDUSTRIES
THIRU. MUTHUKRISHNAN.J,
S/O.JEGANATHAN, NO.57 JMK ILLAM,
JOSEPH NAGAR MAIN STREET,
THIRUNAGAR, MADURAI-625006
- 34 M/S.VALIMAI AGRO PRODUCTS
TMT. B.SULOCHANA, A122,
SANTHINIKETHAN APARTMENT,
ANNANAGAR, MADURAI-625020.
- 35 M/S. THANGAM GARMENTS
TMT. UMA MAHESWARI,
20 GANDHIJI MAIN STREET,
THIRUNAGAR, MADURAI-625006.
- 36 M/S. PADMASHRI PACKAGING
THIRU.RAJASEKARAN, 46/2 B1 RAJAMAN NAGAR,
CHINTAMANI ROAD, MADURAI-9.
- 37 M/S.PEARLS ENGINEERING WORKS
THIRU. P.MUTHUSELVAN, SHED NO.86A,
SIDCO INDUSTRIAL ESTATE, KAPPALUR
- 38 M/S.VAIGAI PACKAGING
TMT.G.DHIVYA, DS-6, SIDCO INDUSTRIAL ESTATE,
KAPPALUR, THIRUMANGALAM, MADURAI -625 008
- 39 M/S.SRI VINAYAGAR AGENCIES,
THIRU.S. KIRAN KUMAR, 27D-NEHRU NAGAR, 4TH
STREET, TVS NAGAR, MADURAI-625003
- 40 M/S. PARVATHI POLYMER
THIRU.M.ELANGO VAN, GF.2,
JAVAHAR ROAD, THE BLESSED ABORAD APARTMENT,
CHOKKIKULAM, MADURAI-20
- 41 M/S.SRI HASHVANTH SPARKLES
THIRU.VS.MANIMARAN,
NO.4/416C, MAGILAMPOO STREET, BAMA NAGAR,
P AND T NAGAR EXTENSION, MADURAI-625 017
- 42 M/S.GEOMATRIC PRECISION MACHINING TECHNOLOGIES,
THIRU.V.KANNADASAN,
C9, THE AUTOMOBILE INDUSTRIAL ESTATE,
KAPPALUR, MADURAI 625008



43 M/S. PRINCY BABY CARE
TMT. SHARMILA POOJA,
18C-19 GOMATHIPURAM 9TH STREET,
SIVAGANGA MAIN ROAD, MADURAI-625020.

44 M/S. NAPAD ACCESSORIES
TMT.S.ANITHALAKSHMI,
197-A, EAST VELI STREET,MADURAI-1.

45 M/S. SRI NALLANDAVAR PERUMAL PLASTICS,
TMT. SELVAM SIVABHAVANI,
B-15 AUTOMOBILE INDUSTRIAL ESTATE,
KAPPALUR, MADURAI-625 008.

46 M/S.ABIRAMI YARN TEX
THIRU. VIKRAM, M 12 DOAK NAGAR EXTENSION,
KOCHADAI, MADURAI - 625 016.

... RESPONDENTS
(IN ALL THE PETITIONS)

(In W.P.(MD).Nos.6906, 6907 and 6909 of 2021, the respondents 5 to 46 were impleaded as per the order of this Court dated 30.04.2021 in W.M.P.(MD).Nos.5872, 5874 and 5875 of 2021)

Common Prayer in WP(MD) Nos.6906, 6907, 6909, 9607, 9609,9611, 9612 and 9614 of 2021:

Writ Petitions filed praying that in the circumstances stated therein and in the affidavits filed therewith the High Court may be pleased to issue a Writ of Declaration to declare the action of the respondent No.2 in allotting plots to the applications on 26.02.2021 at Industrial Estate Kappalur, Madurai district on outright sale basis dehors the procedure of allotment of plots issued by the 2nd respondent in the official website 'tansidco.tn.gov.in as illegal and consequentially direct the respondent No. 2 herein to Reallot the plots as per the Terms of the procedure contemplated in allotments of Plots/Sheds/modules as per the official website 'tansidco.tn.gov.in'.

For Petitioners	: Mr.T.Lajapathi Roy
For R1	: Mr.Veera Kathiravan,Senior Counsel for Mr.P.Thilak Kumar, Government Advocate
For R2 to R4	: Mr.Veera Kathiravan, Senior Counsel for Mr.T.Sakthi Kumaran
For R5, 6, 11 to 14	
R17 to 40 & 42 to 46	: Mr.Issac Mohanlal, Senior Counsel
For R8, 9, 10 & 41	: Ms.S.Vijayashanthi
For R7, 15 & 16	: Mr.M.Satheesh Kumar



COMMON ORDER

These writ petitions have been filed by the petitioners seeking to declare the action of the 2nd respondent in allotting plots to the applications on 26.02.2021 at Industrial Estate Kappalur, Madurai District on outright sale basis dehors the procedure of allotment of plots issued by the 2nd respondent in the official website "transidco.tn.gov.in" as illegal and consequentially direct the 2nd respondent herein to reallocate the plots as per the terms of the procedure contemplated in allotments of plots/sheds/modules as per the official website 'transidco.tn.gov.in'.

2. Since the issue involved in all the writ petitions are one and the same, they were heard together and are disposed of by way of this common order.

3. The learned counsel appearing for the petitioners submitted that for the development of Micro and Small Establishments, the 2nd respondent herein issued a notification in the official website of SIDCO ie., in 'www.tansidco.in' inviting applications for allotment of 42 plots in an extent of 9 to 13 cents each and 65 cents for commercial purpose of Industrial Establishments at Kappalur Industrial Estate, Madurai. As per the circular of the SIDCO, dated 29.05.2019, the following procedure must be adopted by officials of SIDCO for allotment of plots/sheds:

"(a) The details on the plots developed are advertised through leading daily Newspapers and uploaded in the SIDCO website www.sidco.tn.nic.in

(b) Applications are received upto 30 days from the date of release of Advertisement for submission of applications via. <https://www.tansidco.in>.

(c) The applications received are screened by the Screening Committee consist of Officials of SIDCO, IC & DIC, TIIC, Banks & representatives of TANSTIA.

(d) The selection of plot is being done by LOT if more applications are received than the vacant plots.

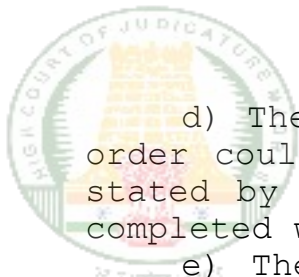
(e) The allotment order will be issued to the applicants selected by the Screening Committee."

But, the SIDCO officials did not conduct the above procedure in letter and spirit. The entire process of selection of allottees are liable to be vitiated for the following irregularities:

a) No advertisement was published in the newspapers with regard to development of plots at Kappalur Industrial Estate, Madurai.

b) Without providing 30 days time for submission of application, the applications were invited only from 11.02.2021 to 15.02.2021.

c) Though the interview was stated to be conducted on 19.02.2021, 22.02.2021 and 26.02.2021, it has been continued even after announcement of Model Election Code of Conduct at 4.30 p.m. on 26.02.2021.



d) The lot process could not have been concluded and allotment order could not have been issued within 4.30 p.m. on 26.02.2021 as stated by the 2nd respondent, as the interview itself has not been completed within 4.00 p.m. on 26.02.2021.

e) The allotments had been made by the respondents herein by showing a preference to the persons who has interest over the ruling political parties.

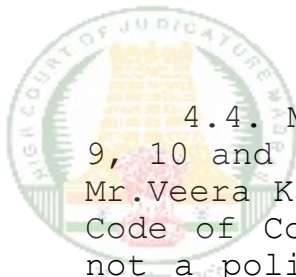
f) The allotment process has been conducted in undue speed. The allotment of six plots to a single Family Firm show that all the manner of allotment is proceeded with favours and strong influence.

4.0. On the contrary, the learned Senior Counsel Mr.Veera Kathiravan representing Mr.P.Thilak Kumar, learned Government Advocate appearing for the first respondent and also representing Mr.T.Sakthi Kumaran, learned counsel appearing for the respondents 2 to 4, would submit that SIDCO has given up the practice of effecting publications in newspapers. In the SIDCO website, the notification with regard to the vacancy of plots issued. In all the Branch Offices also, the availability of plots for sale were displayed in the Display Board. 267 applications were received for allotment of 42 plots in Kappalur Industrial Estate, which is more than six times the vacant plots. Therefore, it cannot be stated that there was no effective publication with regard to vacancy of plots.

4.1. The learned senior counsel would further submit that the portal was opened with updated vacant plots/sheds on 18.01.2021 and the portal was closed on 20.02.2021 and thereby, one month time has been provided for submission of applications. Therefore, it is wrong to say that the applications were invited only from 11.02.2021 to 15.02.2021.

4.2. The learned senior counsel would next submit that though 267 applications were received, after scrutiny, 160 eligible applicants only were called for interview. For 80 applicants interview was conducted by the Screening Committee on 19.02.2021 and the balance applicants were interviewed on 22.02.2021 and 26.02.2021 respectively. Duration of interview was as per the requirement on case to case basis. The interview was completed by 2.30 p.m. on 26.02.2021. Therefore, it is wrong to say that the interview was conducted even after the announcement of Election Commission's Model Code of Conduct at 4.30 p.m. on 26.02.2021.

4.3. The learned counsel appearing for the respondents in unison submitted that after interview, the Screening Committee selected 111 applicants as eligible applicants for allotment of plots. As there were only 42 plots, immediately, "lot" was conducted in the presence of Screening Committee at 03.30 p.m. on 26.02.2021 and allotment orders were made much before the Model Code of Conduct came into effect. Therefore, the process of selection by "lot" cannot be questioned.



4.4. Ms.S.Vijayashanthi, learned counsel for the respondents 8, 9, 10 and 41 would adopt the arguments of the learned Senior Counsel Mr.Veera Kathiravan and would state that Election Commission's Model Code of Conduct is not applicable to the present case since it is not a policy decision order. Question No.31 in the Model Code of Conduct expresses that the tender, auction in cases relating to decision of public health, such as liquor vends, Tendency leaves and other such cases should not be processed and the same should be deferred till the completion of election process in the concerned areas. The decision regarding the above said issue differs from existing party to elected party. But the case in hand is not a policy decision and the allotment of plots for the development of micro and small establishments at Kappalur is only for the purpose of uplifting the development of small scale industries and therefore, the Model Code of Conduct is not applicable to the present case.

4.5. Mr.Issac Mohanlal, learned Senior Counsel appearing for the respondents 5, 6, 11 to 14, 17 to 40 and 42 to 46 would reiterate the arguments of the learned Senior Counsel Mr.Veera Kathiravan and he would also state that the allotment orders were also issued to the respondents herein and the procedures were followed as per the procedure which has been adopted by the TANSIDCO earlier and the petitioners are all participants in the process and after participating, they are estopped from questioning the same.

4.6. The learned counsel appearing for respondents would further submit that the contention of the petitioners that allotment of plots were made by interference of the political parties is not true and it is nothing but false and it is the stretch of imagination of the petitioners and it may be since the petitioners were not selected.

4.7. The SIDCO strived to complete the selection process as early as possible so as to shorten the process time for allotment thereby helping the MSMEs. The time line given in the website is only upper/maximum time limit for processing of application in each stage for the allotment of plots. The process of selection and allotment of plots in various industrial estates have been made within 10 and 11 days from the date of closure of portal. The SIDCO had followed the same procedure for allotment of Kappalur Plots as was followed all along in all earlier allotments for many years and issued allotment orders immediately after completion of process of interview on 26.02.2021. Further, the lot procedure was carried out in the presence of the Screening Committee consisting of members from other departments such as TIIC, National Bank, IC & DIC as well as TANSTIA. Therefore, the question of secretive selection or favoritism did not arise.

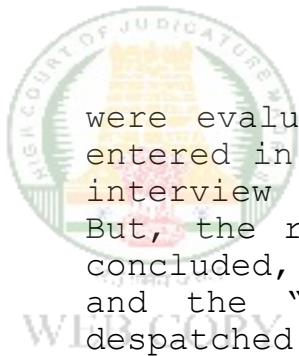
However, abiding the valuable observations of this Court in the interim order dated 01.04.2021 and in order to remove any ambiguity in the lot procedure, SIDCO has decided to change in the lot procedure before the Board and



the Board has approved the proposal on 18.06.2021 for conducting lot in the presence of short-listed candidates and videograph the lot process. SIDCO will follow this new procedure in all the future allotment by lot. If the present selection is interfered on the ground that the interview process as well as the selection by "lot" were made secretly, it will lead to multiple litigations questioning earlier allotment made by following the very same procedure in various industrial estates. Thus, they prayed to dismiss these writ petitions.

5. Heard the learned counsel appearing for both sides and perused the records carefully.

6. Tamil Nadu Small Industries Development Corporation Ltd. (TANSIDCO) is a public sector undertaking and it was established to promote small scale industries in the State of Tamil Nadu. SIDCO establishes industrial parks and estates for providing necessary infrastructure for small scale industries. Near the city of Madurai, SIDCO has established an industrial estate in Kappalur, and in the said industrial estate, SIDCO has proposed to allot 43 plots to eligible applicants. Notification was issued in this regard inviting applications and 267 applicants applied and the petitioners who are also eligible applicants, applied for the same. The applications were pre-scrutinized and 160 persons were called for interview which was held on various dates namely, 19.02.2021, 22.02.2021 and 26.02.2021. The petitioners appeared for online interview on 26.02.2021 at 2.30 p.m and they claimed that the interview went on till 4.00 p.m. The respondents claimed that the interview process was concluded at 2.30 p.m. on 26.02.2021 and the number of applicants shortlisted was 111. Since the number of plots available for allotment was only 43, "Lot" was conducted in the presence of the members of the Screening Committee on 26.02.2021 at 3.30 p.m. The Election Commission's Model Code of Conduct came into force at 4.30 p.m on 26.02.2021. Well before the said announcement, the allotment process was finalised and even the allotment letters were dispatched by Registered Post and the petitioners who had filed these writ petitions, were not among the selected persons. Questioning the allotment process, the petitioners have filed the present writ petitions and elaborate counter affidavit has been filed by the respondents denying the allegations made in the affidavits filed in support of the writ petitions. According to them, the entire process was conducted in a transparent manner and there is no arbitrariness or favoritism. It is not in dispute that the petitioners participated in the above process and now the petitioners are estopped from questioning the allotment because they were aware that if the number of applicants was more than the number of vacancies, then selection will be made only through the process of "Lot". They have specifically stated that publication was made on 11.02.2021 and the entire process was completed within 15 days. He would also state that 11 of the applicants were called to appear at 2.30 p.m. on 26.02.2021 and the applications

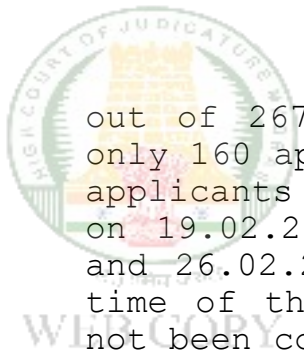


were evaluated by the Screening Committee and the marks were also entered in the score sheets and therefore, they would claim that the interview process could not have been concluded even by 3.45 p.m. But, the respondents would vehemently state that the interview was concluded, and the number of applicants finalised were shortlisted and the "lot" process was over and the allotment orders were despatched to the concerned persons on 26.02.2021 itself. The learned counsel for the petitioners attributed mala fides and irregularities against the respondents in respect of the allotment process and therefore, would pray for striking of the entire allotment process as illegal.

7. Mr.Veera Kathiravan, learned Senior Counsel would submit that based on the representations by the stake holders, SIDCO gave up the practice of effecting publications in newspapers and that SIDCO has its own website and the allotment portal was opened on 18.01.2021 and not on 11.02.2021 as alleged by the petitioners and he would also state that the petitioners were shortlisted candidates and they also participated in the process of allotment. The participation of the petitioners in the process of allotment would clearly show that they participated in response to the notification which appears in the web portal and as per the present scenario of digitization and migration to paperless system, SIDCO cannot be blamed for notifying in the portal system of SIDCO and all the more, the petitioners also participated knowing fully well as to the publication made by the respondents. The notification appeared in the web portal on 18.01.2021 and 30 days time was granted for applying for the same and therefore, if the web portal was closed before the expiry of 30 days time, then the petitioner can have grievance that the web portal was closed before the expiry of 30 days. Thereafter, the petitioners cannot question the time limit in which the process was completed. Though 10 days time was granted for processing the application and 30 days time was granted for convening the screening committee for selecting the candidates, it is only a time limit prescribed by the authorities for their convenience where the petitioners do not have a role to play and therefore, expediting the process of short-listing the candidates cannot be faulted with. It is also stated that the notification for allotment of plots clearly states that the selection will be done by the lot if more application is received compared to the vacancies, and the applicant cannot question the lot system also. By the order of this Court, participants who are successful bidders, were impleaded to hear their arguments.

8. The learned counsel for the petitioners would state that the Lot was compared only before the selection committee and not before the participants. Therefore, in the present case, the issue to be decided is whether the interview process has been conducted in a hurried manner and whether the Lot method adopted by the 2nd respondent needs to be interfered with on the ground of lack of

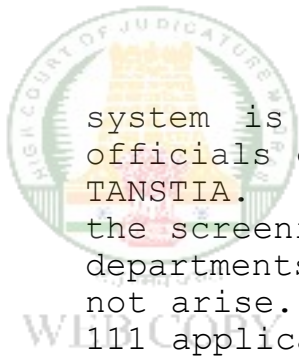
<https://hcservicesportal.com/hcservices/> In this case, as stated by the respondents 1 to 4,



out of 267 applications received through online, on pre-scrutiny, only 160 applicants were eligible for calling for the interview. 80 applicants were called for interview before the screening committee on 19.02.2021 and other applicants were interviewed on 22.02.2021 and 26.02.2021 respectively. Though there is a dispute as to the time of the interview, it is not contended that the interview has not been conducted at all and the petitioners did not participate in the interview. In a few writ petitions, it has been stated that the interview has been conducted till 04.30 p.m. The petitioners' contention is that the interview was conducted in a minimal time and therefore, they were not able to explain the project particulars and there was no score sheets maintained to evaluate the score of the candidates for which, the learned counsel for the respondents would state that the points raised by the petitioners, such as, DPR, Bio-data, requirement of plot/shed size, financial arrangement made, marketing arrangement made, were scrutinized on day to day basis from the date of receipt of application, before conducting interview and therefore, the duration of interview was conducted as per the requirement on case to case basis. The said submission of the respondents 1 to 4 cannot be ignored. The respondents would further state that even in the previous years, the same procedure has been adopted without giving room for any complaint.

9. The contention of the petitioners that the process is conducted in a hasty manner, cannot be accepted as the time for making the application was 30 days only and the others are time limit to be fixed for processing the application in each stage and even in the earlier allotments done by the respondents, the process was completed even between 10 to 11 days. The petitioners are well aware of the notification and if at all they would have had any grievance as to the notification issued, they should have challenged the same even before the participation. After participation, the petitioners now cannot question the allotment. The respondents have specifically stated that immediately after the process in the presence of the screening committee, the allotment orders were approved on 26.02.2021 itself and had been communicated to the allottees. Whether the allotment orders were communicated on the same day or on the subsequent dates does not matter after the completion of the process and even if the petitioners are disputing the time of despatch of the allotment orders that does not matter, as the process has been completed where the petitioners have also participated. In my opinion, when the allotment orders are approved, the allotment process came to an end and therefore, the time of despatch of the allotment orders need not be taken serious note of and this Court under Article 226 of the Constitution of India cannot conduct a roving inquiry into the time in which allotment orders were issued.

10. It was the specific contention of the learned counsel for the respondents that as per the procedure followed, even in the
<https://www.e-services.mca.gov.in/ctservices> allotment orders as to the lot process is concerned, the lot



system is done before the screening committee consisting of the officials of TANSIDCO, IC & DIC, TIIC, Banks and representatives of TANSTIA. As the lot process has been conducted in the presence of the screening committee consisting of various officials from various departments, the question of favoritism or secretive selection does not arise. Moreover, in this case, for allotment of 42 plots, only 111 applicants were selected by the Screening Committee as eligible for allotment and therefore, the allotment of adjacent plots belongs to the same family but different concerns, cannot be taken serious note of. The respondents have followed the procedure adopted by them in the selection of allottees and if this Court interferes with the allotment process of lot system before the authorities, on the ground of lack of transparency, there will be a number of writ petitions before this Court. Even in the earlier process, the SIDCO has followed the same manner of allotment. The procedure adopted by the TANSIDCO is raised for the first time in the present writ petitions and therefore, as stated by the learned Senior Counsel Mr.Veera Kathiravan, a decision has been taken on 18.06.2021 that TANSIDCO will follow new procedure where the future allotment is by lot method.

11. In view of the above discussions, I am of the considered view that the process of allotment of 42 plots made by TANSIDCO in respect of Kappalur Industrial Estate need not be interfered with. In the future allotments, TANSIDCO will follow the proposal approved on 18.06.2021 and shall avoid any room for complaints about sufficient opportunity in future.

12. With the above direction, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

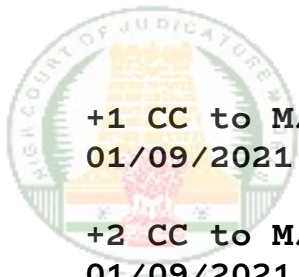
bala

To

1.The Principal Secretary,
Department of Micro, Small and Medium Enterprises,
Fort St. George,
Chennai.

+5 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-27856[F] dated 02/09/2021)

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.N.SATHEESHKUMAR, Advocate (SR-27816[F] dated 01/09/2021)

+2 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-27823[F] dated 01/09/2021)

+3 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-27860[F] dated 02/09/2021)

+2 CC to M/s.ISAAC CHAMBERS, Advocate (SR-27935[F] dated 02/09/2021)

W.P (MD) Nos. 6906, 6907, 6909, 9607, 9609,
9611, 9612 and 9614 of 2021
01.09.2021

RD(22.10.2021) 14P 15C