



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No. 9273 of 2021

and

W.M.P (MD) .Nos. 6984 & 6986 of 2021

WEB COPY

M/s. Raja Industries,
Represented by its Proprietrix,
R.Anitha Jeyanthi,
Plot No.A-75, Thoothukudi,
SIPCOT Industries Complex,
Veerapandiyapuram,
Tuticorin-628 0002.

...Petitioner

Vs.

1. The Managing Director,
State Industries Promotion Corporation of
Tamil Nadu Limited (SIPCOT),
19-A, Rukmani Lakshmi pathy Road,
Egmore, Chennai-600 008.

2. The Estate Officer,
State Industries Promotion Corporation of
Tamil Nadu Limited (SIPCOT),
Meelavittan Village, Medathur Post,
Thoothukudi-628 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned show cause notice, dated 15.12.2020 of the first respondent and the impugned notice for eviction of the second respondent in PO/TUT/Raja Industries /2021, dated 15.04.2021, seeking surrender of site within ten days from petitioner, quash the same and consequently forbearing the respondents herein, their men, agents or any one from in any manner dispossessing the petitioner from Plot No.A-75, measuring 1.34 acres in SIPCOT, Tuticorin.

For Petitioner : Mr.K.Appadurai
for Mr.Fazil Kirmani
For Respondents : No Appearance



O R D E R

The petitioner herein has challenged the show cause notice sent by the respondent Corporation, proposing to cancel the allotment granted in favour of the petitioner on 12.10.1992. The petitioner herein has not replied to the show cause notice, dated 15.12.2020 and consequently, the allotment of Plot No.A.75, in favour of the petitioner was cancelled on 23.03.2021. The order of allotment has not been challenged by the petitioner.

2. Subsequently, on 15.04.2021, the respondent Corporation had issued an order of eviction, which is challenged in the present Writ Petition.

3. The notice dated 15.04.2021 is also a show cause notice, calling upon the petitioner as to why he should not be evicted from the premises. Even this notice has not been replied by the petitioner, but, he has chosen to file the present Writ Petition,

4. Unless and until, the petitioner challenges the original order of cancellation of the allotment, he would not be entitled to challenge this consequential order proposing eviction.

5. The learned counsel appearing for the petitioner would submit that they are willing to challenge the original order of eviction dated 23.03.2021, if liberty is granted to them. This Court is also of the view that such a liberty could be granted to them.

6. In the light of the above observations, the Writ Petition stands dismissed with liberty to the petitioner to challenge the original order of cancellation of allotment, dated 23.03.2021. Since, the learned counsel appearing for the petitioner expresses certain urgency in this matter, the petitioner is permitted to move the second vacation Court. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar/
Vacation Officer (AD-II)

// True Copy //

/ /2021
Sub Assistant Registrar(CS)



tsg / MR

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Managing Director,
State Industries Promotion Corporation of
Tamil Nadu Limited (SIPCOT),
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2. The Estate Officer,
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Meelavittan Village, Medathur Post,
Thoothukudi-628 008.

Order made in
W.P. (MD) No.9273 of 2021
and
W.M.P (MD) Nos.6984 & 6986 of 2019
05.05.2021

VB (02/06/2021) 3P / 3C