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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14705 of 2015

and

M.P.No.1 of 2015

G.Mohan

...Petitioner

Vs

1. The Managing Director,
Tamil Nadu Small Industries Development Corporation Ltd,
SIDCO Corporate Office,
Thiru Vi Ka Industries Estate, Guindy,
Chennai -32.

2. The Branch Manager,
SIDCO Branch Office, Industrial Estate,
Kakkalur,
Thiruvallur District.

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records of the impugned cancellation order issued by the first respondent in R.C.No.5986/IE2/2008 dated 16.04.2015 and quash the same is illegal and consequently direct the respondents to give all assistance to petitioner for promoting the small scale industrial Unit in Plot No.S-88 Phase-II, measuring an extent of 8.53 cents at Industrial Estate, Kakkalur, Thiruvallur District.

For Petitioner : Mr.Balaji
for Mr.K.Gandhi Kumar

For Respondents 1&2 : Mr. S.P.Prabhakaran

O R D E R

The cancellation of allotment issued in the impugned order dated 16.04.2015 is under challenge in the present writ petition.

2. The petitioner states that he is the proprietor of M/s.Majestic Engineering and running fabrication industry at Ambathur. For running a small scale industry, the petitioner got



land situated at the Industrial Estate, Phase-II, Kakkalur, Thiruvallur District in the year 2008 and on 16.04.2015, the petitioner received an information that the allotment granted in favour of the writ petitioner was cancelled by the first respondent. The petitioner states that he has taken all necessary steps for construction of the industrial building and he applied for E.B Connection. However, the authorities have suddenly cancelled the allotment.

3. The learned counsel for the respondent made a submission that the order of cancellation impugned was issued after providing opportunity to the writ petitioner. A show cause notice was issued to the writ petitioner on 14.11.2014 and the cancellation proposal was also submitted thereafter. The petitioner submitted a letter on 11.12.2014 and the impugned cancellation order was passed on 16.04.2015. The reason for cancellation of allotment was that as per the allotment conditions, the industrial plot should have been utilized for the construction of the building within a period of two years from the date of allotment. The petitioner was allotted with the plot in the year 2008 and till the year 2015, he has not completed the construction and therefore, the authorities have cancelled the allotment. The petitioner has not constructed the industrial building for about 7 years from the date of allotment and by issuing a show cause notice, allotment is cancelled and the EMD amount of Rs.10,000/- and the administrative charges were forfeited as per the terms and conditions of the allotment.

4. This being the factum, this Court do not find any infirmity or perversity in respect of the cancellation order passed and thus, the writ petition is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

nti/kak

To

1. The Managing Director,
Tamil Nadu Small Industries Development Corporation Ltd,
SIDCO Corporate Office,
Thiru Vi Ka Industries Estate, Guindy,
Chennai -32.



2. The Branch Manager,
SIDCO Branch Office, Industrial Estate,
Kakkalur,
Thiruvallur District.

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+1cc to Mr.S.P.Prabhakaran, Advocate SR.No.3294

W.P.No.14705 of 2015

MT (CO)
GMY (08/02/2022)