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W.P. No. 30758 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 30758 of 2017

K.Rani

... Petitioner

-VS-

Tamilnadu Small Industries Development Corporation Ltd.,
Rep. by its General Manager,
Industrial Estate,
Thirumudivakkam,
Chennai – 600 044.
Respondent

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent pursuant to Letter RCC No. 390/C/2010 dated 08.08.2011 to execute the sale deed and in favour of the Petitioner nominee in respect of the Tiny Shed bearing Door No. 1, Tiny Shed No. 1 located at the Tiny Sector Complex at Singaperumal Koil Village, present Kanchipuram District within a time frame fixed by this Court.

For Petitioner : Mr. M.Vembudian for M/s. R.Veeramani

For Respondent : Mr. S.P.Prabhakaran

O R D E R



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WEB COP Heard Mr. M.Vembudian, Learned Counsel for the Petitioner and Mr. S.P.Prabhakaran, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The husband of the Petitioner, viz., N.Kandaswamy, had been allotted Industrial Shed No. 1 at Tiny Sector Complex in Singaperumalkoil by the Respondent and he subsequently died on 29.10.2006. According to the Petitioner, though the entire cost for the said shed had been paid, the Respondent has not executed sale-deed for the same. In that backdrop, the Petitioner had made a representation dated 08.06.2010 which was directed to the disposed by order dated 05.07.2010 in W.P. No. 14058 of 2010, but as no action has been taken, she has filed this Writ Petition.

3. This Court during the earlier hearing on 27.09.2022 had passed the following self-explanatory order:-

“ Learned Counsel for the Respondent states that the Respondent by Letter in Na. Ka. No. 207/ B/2020 dated 29.12.2020 required the Petitioner to produce certain documents and its copy has been received by Learned Counsel for the Petitioner, which is



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acknowledged by him.

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2. The Petitioner shall furnish the required documents to the Respondents and file proof in that regard before the next hearing.

Post the matter on 18.10.2022.”

4. When the matter is taken up for hearing today, Learned Counsel for the Respondent states that despite the aforesaid order passed by this Court and another reminder in Letter in Rc. No. 390/C/2010 dated 30.09.2022 sent by the Respondent, the Petitioner has not produced the documents and it would not be possible to execute the sale-deed without the same. In such circumstances, nothing remains for further consideration in the Writ Petition, but it would not preclude the Petitioner from working out her remedies in accordance with law, if the Respondent does not execute the sale-deed within a period of 30 days from the date of receipt of all the documents as sought in the letters sent by the Respondent to her.

In fine, the Writ Petition is disposed on the aforesaid terms. No costs.



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Index: Yes/No

Note: Issue order copy by 16.11.2022.

To

The General Manager,
Tamilnadu Small Industries Development Corporation Ltd.,
Industrial Estate,
Thirumudivakkam,
Chennai – 600 044.



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P.D. AUDIKESAVALU, J.

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