



WEB COPY



Writ Petition No.10756 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: **30.11.2022**

C O R A M

THE HONOURABLE Mr.JUSTICE N. SATHISH KUMAR

Writ Petition No.10756 of 2017 &

WMP.No.24775 of 2018

M/s.Auroplast Industries

Rep. by its Partner V.Goundasegarane,

No.30, 2nd Cross, Muthamil Nagar,

Sevarapet, Puducherry – 605 111.

... Petitioner

Vs

1. The Pondicherry Industrial Promotion,

Development and Investment Corporation Limited [PIPDIC],

Rep. by its Managing Director,

No.16, Romain Roland Street, Puducherry – 605 001.

2. A.Mariam Siddeeka,

Proprietrix M/s.Salwa Food Products,

No.16, Raja Singh Street, Puducherry – 605 001.

3. Ramasamy

[R3 impleaded as per Order dated 23.08.2018 by SMSJ

in WMP No.24774 of 2018 in W.P.No.10756 of 2017]

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of a Writ of Certiorarified Mandamus calling for the



records on the file of the first respondent relating to the impugned Order bearing ref: F.31-98/2-007-08/Dev/745/1335 dated 16.03.2017 and quash the same and consequently direct the second respondent to re-allot the Plot No.A-44, Sedarapet Industrial Estate, Puducherry to the petitioner.

For petitioner ... Mr.T.Sai Krishnan
for Mr.Sai Bharath

For respondents ... Mr.d.Ravichander – R1

No appearance – R2 & R3

ORDER

This Writ Petition has been filed to quash the impugned Order of the first respondent dated 16.03.2017 and quash the same and consequently direct the second respondent to re-allot the Plot No.A-44, Sedarapet Industrial Estate, Puducherry to the petitioner.

2. The crux of the averments in Writ petition is that the petitioner was originally allotted an industrial plot in the Pondicherry Industrial Promotion, Development and Investment Corporation Limited and he has also put up a construction up to the level of 40% and the remaining construction could not be completed within the stipulated time. Therefore, the plot has been allotted to the



second respondent and the second respondent has also not put up the construction as per the terms of the contract. Therefore, the petitioner gave a representation to reallocate the said property to the petitioner and the same has been rejected by the first respondent. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner mainly would submit that as the subsequent allottee has also not made any improvement, the petitioner having spent substantial amount in putting up construction, the respondent may be directed to reallocate the plot to the petitioner.

4. Mr.D.Ravichander, the learned counsel appearing for the first respondent, on instructions submitted that as the subsequent allottee also has not performed his part of the contract, the plot has been again subleased to a third party.

5. In such view of the matter, the question of allotting the said plot to the petitioner does not arise at all. However, the learned counsel appearing for the first respondent on instructions submitted that if any other plot is available and if



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the petitioner gives a fresh representation, the respondent will consider allotting a plot to the petitioner.

6. In such view of the matter, the petitioner is directed to give a fresh representation within a month from the date of receipt of a copy of this Order and on receipt of such representation, the first respondent shall allot an alternative plot, if available to the petitioner within a period of two months, thereafter.

7. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

30.11.2022

Index : Yes / No
Internet: Yes
Speaking/non speaking order

vrc

To

The Pondicherry Industrial Promotion,
Development and Investment Corporation Limited [PIDIC],
Rep. by its Managing Director,
No.16, Romain Roland Street, Puducherry – 605 001.



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N. SATHISH KUMAR, J

VRC

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