



W.P(MD)No.8236 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2022

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.8236 of 2013

and

M.P(MD)Nos.1,2 and 3 of 2013

The Dindigul Ladies Polythene Worker's
Industrial Co-operative Society Ltd., (Ind NO.439),
Represented by its Secretary.

... Petitioner

Vs.

1.The Estate Officer,
SIDCO Industrial Estate,
Dindigul.

2.The Chairman cum Managing Director,
Tamil Nadu Small Industries Development
Corporation Ltd.,
Industrial Estate Wing,
Guindy, Madras-600 003.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified, to call for the records relating to the impugned order of the first respondent dated 19.03.2013 made in R.C.No.190/A2/2005 and quash the same and consequently pass suitable order directing the first respondent to hold enquiry and pass order under Section 5 of the Tamil Nadu Public



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Premises (eviction of unauthorized occupants) Act 1975 after giving opportunity to the Petitioner Society.

For Petitioner : Mr.G.Vidhya Maheswaran

For Respondents : Mr.T.Sakthi Kumaran

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein, under which eviction orders have been passed under Section 5 of the Tamil Nadu Public Premises (eviction of unauthorized occupants) Act, 1975.

2. The petitioner/Industrial Co-operative Society was allotted a plot for industrial purposes by the first respondent herein. Since the plot was not utilised, the allotment was cancelled on 21.06.1990. After cancellation of the allotment, the petitioner/Society becomes an unauthorized occupant. In view of the said fact, an order of eviction has been passed on 19.03.2013, which is under challenge in the present writ petition. A statutory appeal remedy to the District Court is available under Section 9 of Tamil Nadu Public Premises (eviction of unauthorized occupants) Act 1975.



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3. In view of the effective alternative remedy, this writ petition stands dismissed with liberty to the petitioner to avail the said statutory alternative remedy.

4. With the above said observations, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.09.2022

Index : Yes / No
Internet : Yes / No

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R.VIJAYAKUMAR ,J.



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Order made in
W.P(MD)No.8236 of 2013

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