



W.P.(MD)No.20889 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.(MD)No.20889 of 2022 and
W.M.P.(MD)Nos.15139 and 15140 of 2022**

M/s.Mega Pet Industries,
Through its Partner,
P.Sridhar,
S/o.M.Pitchaikani,
No.88, SIDCO Industrial Estate Urban,
Alagapuri Road, Virudhunagar District.

... Petitioner

Vs.

1. The Tamil Nadu Small Industries
Development Corporation,
Through its Managing Director,
SIDCO Corporate Office,
Thiru Vi Ka Indi Estate,
Guindy, Chennai.

2. The Tamil Nadu Small Industries
Development Corporation,
TANSIDCO Branch,
Virudhunagar.

3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

... Respondents



W.P.(MD)No.20889 of 2022

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records on the file of the first respondent relating to the impugned notice through proceedings in R.C.No.6088/IE3-1/2016 dated 11.08.2022 and to quash the same and further directing the respondents not to demand any further amount from the petitioner.

For Petitioner : Mr.C.M.Mari Chellaiah Prabhu
For Respondents : Mr.P.Subbaraj
Special Government Pleader

O R D E R

This Writ Petition is filed challenging the impugned notice dated 11.08.2022 whereby the petitioner Company were requested to pay a sum of Rs.11,40,020/- (Rupees Eleven Lakhs Forty Thousand and Twenty Only) towards enhanced compensation of land cost for the Plot No.88 with an extent of 0.302 acres immediately.

2. Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondents.



W.P.(MD)No.20889 of 2022

WEB COPY

3. The petitioner aggrieved by the enhanced rent approached this Court on the ground that though under the allotment order dated 19.11.2016, the 1st Respondent provided for enhancement of compensation as awarded by a Court of law, further there has been enhancement of compensation by the Sub Court, Virudhunagar which was challenged before this Court in A.S.(MD).Nos.137 to 144 of 2021, dated 04.06.2021 and the said appeals were dismissed affirming the order of the Sub Court.

4. It is the submission made by the learned counsel for the petitioner that the amount of Rs.11,40,020/- which is sought to be recovered, is erroneous inasmuch as even in terms of the compensation awarded by the Sub Court, as affirmed by this Court in A.S.(MD).Nos.137 to 144 of 2021, dated 04.06.2021, it may not exceed Rs.6 Lakhs to Rs.7 Lakhs.



W.P.(MD)No.20889 of 2022

WEB COPY

5. Mr.P.Subbaraj, learned Special Government Pleader for the respondents would submit that this is only a notice and therefore, it is premature on the part of the petitioner to approach this Court.

6. This Court is of the view that the impugned proceedings is in the form of a notice to the petitioner to pay the amount of Rs.11,40,020/- (Rupees Eleven Lakhs Forty Thousand and Twenty Only) immediately.

7. In the circumstances, this Court is of the view that the respondents shall furnish the petitioner's worksheet for arriving at a sum of Rs.11,40,020/- (Rupees Eleven Lakhs Forty Thousand and Twenty Only) as due towards enhanced compensation of land cost for the Plot No.88 with an extent of 0.302 acres, within a period of two weeks from the date of receipt of a copy of this order. The petitioner shall be permitted to file a representation / objection within a period of four weeks from the date of receipt of the worksheet and the respondents shall dispose of the representation within a period of four weeks thereafter, taking into consideration the representation if any that may be filed by the petitioner.



W.P.(MD)No.20889 of 2022

WEB COPY

8. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

05.09.2022

Index : Yes / No

Speaking Order : Yes / No

vji

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MOHAMMED SHAFFIQ, J.

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