



W.P(MD)No.23591 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD).No.23591 of 2015

and

M.P(MD).No.1 of 2015

K.Muniyandi,
Proprietor - Sri Muniyandi Cement Works,
Trichy District.

: Petitioner

Vs

1. The Chairman and Managing Director,
Tamilnadu Small Industries Development
Corporation Limited,
Kathipara Junction,
Paul Wells Road,
Chennai 15.

2. The Manager,
Tamilnadu Small Industries Development
Corporation Limited,
Ariyamangalam,
Trichy-10.

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus calling for the



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records pertaining to the impugned order passed by the second respondent by in RC.No.2015/B/1996, dated 18.12.2015 received by the petitioner on 26.12.2015, quash the same and consequently direct the respondents to accept the balance plot cost with reasonable interest and execute the sale deed in favour of the petitioner.

For Petitioner : Mr.P.Saravankumar

For Mr.M.Siddharthan

For Respondents : Mr.T.Sakthikumaran

ORDER

The present writ petition had been filed challenging the order passed by the second respondent herein under which, he has been directed to hand over the plot to SIDCO.

2.According to the learned Counsel appearing for the petitioner, an industrial plot was allotted to the petitioner on 18.06.1998. Since the amount as demanded in the allotment order was not paid, the said allotment was cancelled on 08.09.2000. Thereafter, the petitioner was directed to hand over



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the possession. However, since the possession was not handed over, the impugned order was passed, directing the petitioner to hand over the plot to SIDCO, within a period of seven days.

3.The learned Counsel appearing for the respondents brought to the notice of the Court that proceedings have been initiated against the petitioner under Public Premises Eviction Act and an order of eviction has been passed by Estate Officer on 14.09.2022.

4.A perusal of said order indicates that the respondents were ready for fresh allotment in favour of the petitioner, if he is willing to pay the current value. However, the petitioner has given an undertaking letter stating that he is ready to pay the old value along with interest. Hence the said request was rejected and the order of eviction has been passed on 14.09.2022.

5.In view of the above said facts, since the allotment in favour of the petitioner has already been cancelled in the year 2000 and the same has not been challenged by the petitioner, the impugned order under which the petitioner was directed to hand over the plot to SIDCO cannot be said to be



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illegal. That apart, proceedings were initiated against the petitioner under the Public Premises Eviction Act and order of eviction has also been passed.

6.With the above observations, this writ petition stands disposed of. No costs. However, this order will not prevent the respondents from considering the request of the petitioner for fresh allotment based upon the present value.

7.Consequently, connected miscellaneous petition is closed.

27.09.2022

Index : Yes / No

Internet : Yes/ No

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Note:Issue Order copy on 27.09.2022



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To

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R.VIJAYAKUMAR, J.

lr

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