



W.P.No.12855 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM :

THE HON'BLE MR.JUSTICE S.SOUNTHAR

W.P.No.12855 of 2018
and W.M.P.No.15108 of 2018

G.Sriram

.. Petitioner

Versus

1. The General Manager,
Tamil Nadu Small Industries Development
Corporation,
Paulwel's Road,
Kathipara Junction,
Guindy,
Chennai - 600 016.
2. The Deputy General Manager, Section IV Wing,
Tamil Nadu Small Industries Development Corporation,
Paulwel's Road,
Kathipara Junction,
Guindy,
Chennai = 600 016.
3. The Branch Manager,
Tamil Nadu Small Industries Development Corporation,
Semandalam Industrial Estate,
Cuddalore - 607 001.
4. The Sub Registrar,
Office of the Sub Registrar,
Vadalur,



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Cuddalore District - 607 303.

.. Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the 1st respondent or any officers deputed by 1st respondent to conduct an overt enquiry in respect of Developed Plot No.28, measuring to an extent of 1 acre at Industrial Estate, Vadalur which was allotted to the petitioner vide Ref.No.20561 / AL-2 / 94, dated 12.02.1995.

For Petitioner : Mr.B.Krishnan

For Respondents : Mr.M.P.Rajavelayutham,
for RR-1 to 3

: Mr.R.G.Dinesh Raj Kumar,
Additional Government Pleader,
for R4

ORDER

The Writ Petition has been filed by the petitioner seeking a direction to the first respondent to conduct an enquiry in respect of the developed Plot No.28 in Industrial Estate which was allotted to the petitioner vide Ref.No.20561 / AL-2 / 94, dated 12.02.1995.

2. A perusal of the allotment letter, furnished in the typed set of papers, would show that the developed Plot No.28 in the above Industrial



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Estate was allotted to a partnership firm namely, M/s.Rohini Flyash Brick Works. The name of the petitioner was mentioned as a partner of the firm along with names of the other partners.

3. When the matter is taken up for hearing today, the learned Counsel for the respondents 1 to 3, by taking this Court through the averment contained in paragraph No.6 of the counter-affidavit, submits that the petitioner retired from the partnership firm on 20.09.1999 itself and when he is not a partner of the firm, he is not entitled to maintain the Writ Petition.

4. The learned Counsel for the petitioner is unable to dispute with the said assertion made by the learned Counsel for the respondents 1 to 3 in the counter-affidavit. If the petitioner is not the partner of the firm, to which, the plot was allotted, he is not entitled to maintain this Writ Petition.

5. Consequently, the Writ Petition is dismissed. No costs. However, it is open to the present partners of the firm to explore the remedies available to them under law. Consequently, connected miscellaneous petition is closed.



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Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

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S.SOUNTHAR, J.

grs

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