



WEB COPY



W.P.No.20339 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20339 of 2023
and
W.M.P.No.19701 of 2023

M/s.Moc Dies and Moulds Pvt Ltd.,
SP.93, First Floor
Ambattur Industrial Estate
Ambattur, Chennai 600 058.

...Petitioner

Vs.

1.The Managing Director
State Industries Promotion Corporation
of Tamil Nadu Ltd., (SIPCOT)
19-A, Rukumanilakshmipathy Road
Egmore, Chennaij 600 008.

2.The Project Manager
State Industries Promotion Corporation
of Tamilnadu Ltd., (SIPCOT)
Vallam-Vadagal
Kanchipuram District 631 604.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for
issuance of a Writ of Certiorari, to call for the records relating to impugned



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order dated 30.05.2023 passed in P-II/SIP-VV/83/MOC Dies/2017 on the file of the first respondent and quash the same.

For Petitioner : Mr.R.Ezhilarasan

For Respondents : Mr.G.Sureshkumar
Standing Counsel (SIPCOT)

ORDER

This Writ Petition is filed challenging the order passed by the first respondent dated 30.05.2023 canceling the allotment made to the petitioner in SIPCOT Industrial Park, Vallam-Vadagal.

2. The first respondent canceled the allotment order mainly on the ground that the petitioner failed to comply with the directions issued by this Court in W.P.No.9261 of 2021.

3. The petitioner was allotted with the plot measuring about 7 acres in Plot No.G-95/1 in SIPCOT Industrial Park, Vallam-Vadagal. The lease deed dated 13.12.2021 was executed by the second respondent in favour of the



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petitioner for a period of 99 years from 2017 on condition that the petitioner should pay a sum of Rs.1,25,00,000/-, towards plot and Rs.22,00,000/- and Rs.1,03,00,000/- towards development charges. There was a further condition that the petitioner should commence construction of building within six months from the date of allotment order and complete the same within 24 months from the date of allotment. As the petitioner committed default in payment of last three installments and also failed to comply with other condition, the order cancelling the confirmation was made on 30.03.2021. Challenging the same, the Writ Petitioner filed a Writ Petition, earlier in W.P.No.9261 of 2021.

4. When the matter was taken up for hearing on 19.07.2021, the petitioner was directed to deposit an amount of Rs.63,43,916/- in 10 equal installments to the respondent corporation and complete the construction of the building within a period of 14 months from 01.08.2021, by way of interim direction.



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5. The Writ Petition finally came to be disposed of by directing the petitioner to pay balance three installments by way of demand draft to the respondents on or before 05th of every succeeding month without fail. The petitioner was also directed to complete the construction on or before 31.10.2022 as per undertaking affidavit filed by him. It was also made clear that if the petitioner failed to comply with the undertaking given to this Court, it is open to the respondents to proceed further.

6. A reading of the impugned order would suggest that the petitioner paid only 8 installments that too belatedly. The last two installment amount to the tune of Rs.12,68,783/- due on 05.04.2022 and 05.05.2022 have not been paid till the date of impugned order.

7. It is recorded in the impugned order that the petitioner failed to complete the construction of the building within 14 months from 01.08.2021 i.e., on or before 31.10.2022. After recording that the petitioner had only constructed a compound wall and no building has been constructed by the petitioner for commencing business, the impugned order came to be passed on the ground that the petitioner failed to comply with both directions of this



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Court in the earlier Writ Petition. Therefore, I do not find any point to interfere with the order passed by the first respondent and accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

01.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.
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