



W.P(MD)No.140 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.140 of 2023

and

W.M.P(MD)No.131 of 2023

Varsha Aqua Packed Drinking Water,
Represented by its Proprietor,
P.N.Palanivelrajan,
R.S.No.156/1H, 5C,
Sai Nagar, Kalathur Village,
Pillaiyarkulam Panchayat,
Thiruchuli Taluk,
Virudhunagar District.

... Petitioner

Vs

- 1.The Assistant General Manager,
Tamil Nadu Industrial Investment Corporation Ltd.,
No.692, Annasalai,
Nandanam,
Chennai – 35.
- 2.The Regional Manager,
Tamil Nadu Industrial Investment Corporation Ltd.,
Tirunelveli,
Tirunelveli District – 3.
- 3.The Branch Manager,
Tamil Nadu Industrial Investment Corporation Ltd.,
98/C4, II Floor,
Chairman Shanmuganadar Road,



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Sivakasi,
Tamil Nadu Industrial Investment Corporation Ltd.,
Virudhunagar District.

4.The Tahsildar,
Thiruchuli Taluk Office,
Thiruchuli,
Virudhunagar District.

5.The Village Administrative Officer,
Kalathur Village,
Thiruchuli Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned the possession notice in TIIC-SVK-BO-LAO-2022-23/ dated 23.12.2022 issued by the third respondent and quash the same and consequently to direct the third respondent not to take any further steps to take the physical possession of the petitioners factory.

For Petitioner : Mr.KR.Bharathi Kannan

For Respondents : Mr.R.Saravanan
Standing Counsel for R.1 to R.3

Mr.B.Saravanan
Additional Government Pleader
for R.4 & R.5

ORDER

Heard the learned counsel on either side.

2.The petitioner availed loan from the respondent Corporation. He committed default. Therefore, recovery action was initiated. The petitioner



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filed this writ petition and on 04.01.2023 an interim order was passed with condition that the petitioner should pay 25% of the liability on or before 11.01.2023.

3.When the matter was taken up today, it was confirmed that the petitioner has complied with the said undertaking. The balance amount shall be cleared by the petitioner in six equal monthly installments. The payment of first installment will commence on 06.03.2023. The interim order earlier granted is made absolute accordingly. If the petitioner commits default in paying two successful installments, the said order would stand recalled automatically. The writ petition itself would stand dismissed. The first respondent shall quantify the liability payable by the petitioner. This shall include the other expenses incurred by the Corporation. The statement shall be served on the petitioner. The installments will be calculated accordingly.

4.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

24.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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G.R.SWAMINATHAN, J.

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