



W.P. (MD) No. 961 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

C O R A M

**THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU**

W.P. (MD) No. 961 of 2023

and

W.M.P. (MD) Nos. 908 and 909 of 2023

GRV Packages Private Limited,  
Rep. by its Authorised Signatory,  
Vasanth George Reji,  
No.16/61-B, Vasantha Bawan,  
Simon Nagar, Nagercoil,  
Kanyakumari - 629004.

... Petitioner

Vs.

1. State Industries Promotion Corporation  
of Tamil Nadu Limited (SIPCOT),  
Rep. by its the Managing Director,  
19-A, Rukmani Lakshmipathy Road,  
Post Box No.7223,  
Egmore, Chennai - 6.

2. The Project Officer,  
SIPCOT Industrial Park,  
Gangaikondan, Tirunelveli District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the order dated 26.09.2022 made in proceedings in P-III/SIP-GKN Packages/2022 dated 06.01.2023 on the file of the first Respondent and communicated to the



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Petitioner by email dated 09.01.2023, and quash the same and further direct the respondents to proceed further for handing over possession and registering of lease deed in terms of Allotment order dated 12.07.2022 *vide* proceedings in P-III/SIP-GKN Packages/2022 within a time frame fixed by this Honourable Court.

For Petitioner : Mr. Y.Prakash

For Respondents : Mr. M.Gangadharan  
for R1

### **ORDER**

Heard Mr. Y.Prakash, Learned Counsel for the Petitioner, and Mr. M.Gangadharan, Learned Counsel appearing for the First Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The First Respondent by Order dated 12.07.2022 allotted Plot No. C-71 measuring 1.33 acres at SIPCOT Industrial Park, Gangaikondan (C District) at Tirunelveli to the Petitioner for setting up a unit for the manufacture of Corrugated Boxes and he had not remitted the plot cost (less initial deposit) of Rs. 12,63,600/- within the stipulated time limit which



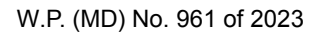
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lapsed on 10.08.2022. The said allotment of the plot made in his favour had been cancelled by order dated 26.09.2022 passed by the First Respondent.

The Petitioner had challenged the said cancellation of allotment of the plot in the Writ Petition in W.P. (MD) No. 23598 of 2022 and this Court by order dated 26.10.2022 disposed that Writ Petition, stating as follows:-

*“9. This Court finds that the delay in making the payment is only in view of the fact that Tamil Nadu Industrial Investment Corporation (TIIC) is taking time in processing/sanctioning the loan. In any view to demonstrate the bonafide, the Petitioner shall make a deposit of Rs.1,00,000/- within a period of two weeks from today subject to complying with the above condition. The Petitioner shall be permitted to make payment of remaining sum of Rs.8,47,000/- within a period of eight weeks from today. The impugned order, dated 26.09.2022 is set aside. If the Petitioner fails to comply with the above order, the cancellation of allotment order shall stand revived.*

*10. With the above observation, the writ petition stands disposed of. No costs. Consequently, the connected*



3. As there had been a delay of two days in making full payment of the said sum of Rs. 8,47,000/-, the First Respondent by Order No. P-III/SIP-GKN/GRV Packages/2022 dated 06.01.2023, has passed the following order:-

*You are therefore requested to furnish the RTGS details to claim the refund of plot cost for Rs. 13,30,100/- for the plot No. C-71/1.33 acres within 30 days from the date of receipt of this order.”*

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4. It has been brought to notice that by order dated 08.02.2023 in W.M.P. (MD) No. 2298 of 2023 in W.P. (MD) No. 23598 of 2022 this Court has passed the following order:-

*“ The Petitioner was permitted to remit Rs.8,47,000/- (Rupees Eight Lakhs and Forty Seven Thousand only) within eight weeks from 26.10.2022 as condition for setting aside the impugned order no.P-III/SIP-GKN/GRV Packages/2022 dated 26.09.2022 in the Writ Petition, failing which the cancellation of allotment was to stand revived. It is explained by the Petitioner in the affidavit filed in support of this Miscellaneous Petition that there was a short delay of 2 days in making the said payment and this extension of time for such compliance is sought.*

*Accepting the reasons stated by the Petitioner, it shall be treated that the condition of remitting Rs.8,47,000/- (Rupees Eight Lakhs and Forty Seven Thousand only) imposed on the Petitioner has been complied within the time limit fixed by this Court.*

*This Miscellaneous Petition is ordered on the aforesaid terms.”*

In view of the aforesaid order passed by the Court, the impugned Order in



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P-III/SIP-GKN Packages/2022 dated 06.01.2023 passed by the Respondent, which cannot be sustained, is set aside and it shall be incumbent upon the Respondents to take further action for allotment of the said plot in favour of the Petitioner in accordance with law.

In the result, the Writ Petition is ordered on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

**22.02.2023**

NCC : Yes/No  
Index : Yes/No

PKN

**Note:- Issue order copy by 14.06.2023.**

TO:

1. The Managing Director,  
State Industries Promotion Corporation  
of Tamil Nadu Limited (SIPCOT),  
19-A, Rukmani Lakshmipathy Road,  
Post Box No.7223,

6/8



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Egmore, Chennai - 6.

2. The Project Officer,  
SIPCOT Industrial Park,  
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**P.D.AUDIKESAVALU,J.**

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