



W.P.(MD)No.13997 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13997 of 2021

Vinod M.Patel

... Petitioner

Vs

1.The Branch Manager,
Tamil Nadu Small Industries,
SIDCO Industrial Estate, K.Pudur,
Madurai - 625 007.

2 .The General Manager,
Tamil Nadu Small Industries
Development Corporation Limited,
SIDCO Paulvels Road,
Kathipara Junction,
Chennai - 600 016

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the Petitioner's representation dated 10.04.2021 for the Registration and Disbursement of Sale Deed in respect of Industrial Shed bearing No.140, Mahil Industrial Estate, Uranganpatti, Madurai - 20 in the Petitioner's favour and handover the same forthwith .

For Petitioner : Mr.S.Palani Velayutham

For R-1 & R-2 : Mr.T.Sakthikumar,
Standing Counsel for SIDCO



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ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondents to consider the representation dated 10.04.2021, wherein, the petitioner is seeking for registration and release of the sale deed with respect to the subject property.

2. When the Writ Petition came up for hearing on 11.08.2021, this Court passed the following order:

“The petitioner seeks a direction for the execution and registration of a sale deed in respect of an industrial shed bearing No.140, Mahila Industrial Estate, Uranganpatti, Madurai-20.

2. The petitioner claims that he made the entire payment due in respect of the aforesaid property, but that the respondents failed to execute the deed of conveyance in respect thereof. The order dated 03.01.2017 of this Court in W.P(MD).No.13590 of 2010 is relied upon in this connection

3. Mr.T.Sakthi Kumar, learned Standing Counsel for the respondents, accepts notice on their behalf and submits that an appeal has been presented along with an application to condone



delay in respect of the order dated 03.01.2017 in W.P(MD).No.13590 of 2010. He also points out that such order was issued on the basis of a misrepresentation by the petitioner with regard to the dues to the respondents. He seeks time to file a counter-affidavit setting out all the relevant facts. The respondents are directed to file such counter affidavit within two weeks from date after serving a copy thereof on learned counsel for the petitioner.

4. Let the matter appear on 01.09.2021.”

3. When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of the respondents submitted that the writ petition order that was relied upon by the petitioner in W.P.(MD).No.13590 of 2010, has already been put to challenge and the same is pending in W.A. (MD).No.172 of 2022.

4. In view of the above, the petitioner has to necessarily await for the final result in W.A.(MD).No.172 of 2022. Depending upon the result in this Writ Appeal, it will be left open to the petitioner to revive the claim against the respondents.



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5. This Writ Petition is disposed of with the above directions. No

costs.

06.11.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg



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N.ANAND VENKATESH, J.

tsg

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