



W.P. (MD) No. 26078 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

W.P. (MD) No. 26078 of 2022

and

W.M.P. (MD) No. 20211 of 2022

M/s Krishna Lakshmi Engineering,
Represented by its Managing Partner,
K.Amudhan.

... Petitioner

Vs.

- 1.The Chariman and Managing Director,
SIDCO,
Thiru. Vi.Ka. Industrial Estate,
Guindy, Chennai 32.
- 2.The General Manager,
SIDCO,
Thiru. Vi.Ka. Industrial Estate,
Guindy, Chennai 32.
- 3.The Branch Manager,
Tamil Nadu SIDCO,
SIDCO Industrial Estate,
Machuvaadi,
Pudukkottai 622 004.
- 4.The Secretary to the Government,



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Micro, Small and Medium Enterprises Department,
Fort St.George, Secretariat,
Chennai – 600 009.

(R4 is suo-motu impleaded vide
order dated 28.02.2023)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, calling upon the records culminated in impugned proceedings No. 1885/1E4-1/2014 dated 15.09.2022 on the file of the 2nd respondent, quash the same as illegal, ultravires, without jurisdiction not in accordance with law and direct the respondents by way of Mandamus, to execute a registered sale deed in favour of the petitioner in respect of the developed plot Nos. 17, 18, 19 admeasuring to the extent of Acre 1.33 cents situated at Industrial estate, Mathur, Pudukkottai 622 515.

For Petitioner : Mr. B.Prasanna Vinoth

For Respondents : Mr. T.Sakthikumaran (for R1 to R3)
Standing Counsel

Mr. D.Gandhiraj (for R4)
Special Government Pleader

ORDER

Heard Mr. B.Prasanna Vinoth, Learned Counsel for the Petitioner, Mr. T.Sakthikumaran, Learned Standing Counsel, who takes notice for the First to Third Respondents, and perused the materials placed on record, apart



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from the pleadings of the parties.

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2. The Writ Petition has been filed challenging the Proceedings No. 1885/IE4-1/2014 dated 15.09.2022 issued by the Second Respondent and to consequently direct the Respondents to execute registered sale-deed in favour of the Petitioner in respect of the developed Plot Nos. 17, 18, 19 admeasuring an extent of 1.33 acre situated at Industrial Estate, Mathur, Pudukkottai - 622515.

3. Though the Petitioner had sought for the said relief, Learned Counsel appearing for the Petitioner submits that the Petitioner would be satisfied, if the representation dated 25.02.2023 made by the Petitioner to the Secretary to the Government, Micro, Small and Medium Enterprises Department, Fort St. George, Secretariat, Chennai – 600 009 is directed to be disposed.

4. In such circumstances, the Secretary to the Government, Micro, Small and Medium Enterprises Department, Fort St.George, Secretariat, Chennai – 600009 is suo-motu impleaded as the Fourth Respondent in this Writ Petition and Mr. D.Gandhiraj, Learned Special Government Pleader takes notice for

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the Fourth Respondent.

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5. Having regard to the limited nature of the relief sought in this Writ Petition, this Court without expressing any view on the merits of the controversy involved in the matter, passes the following order:-

- (i) the Fourth Respondent shall immediately examine the representation dated 25.02.2023 made by the Petitioner, which shall be treated as appeal against the impugned order;
- (ii) it is made clear that the Fourth Respondent shall not be inhibited or influenced by the impugned order, while examining the aforesaid representation made by the Petitioner;
- (iii) if it is found that any details or supporting documents satisfying the eligibility criteria for the relief claimed had not been produced, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 10 clear working days for the same; and
- (iv) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain its position in that regard



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and a reasoned order shall be passed by 30.09.2023 dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment.

6. In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

28.02.2023

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NCC : Yes/No

Index : Yes/No

Note: Issue order copy by 16.06.2023.

To

1. The Secretary to the Government,
Micro, Small and Medium Enterprises Department,
Fort St. George, Secretariat,
Chennai – 600 009.



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P.D.AUDIKESAVALU,J.

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