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W.P.No.24524 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24524 of 2024
and W.M.P.Nos.26837 and 26839 of 2024

Sri Velan Engineering,
Represented By Its Proprietor,
K.Karthikeyan

... Petitioner

-Vs-

1. Tamil Nadu Small Industries Development
Corporation Limited,
(A Government Of Tamil Nadu Undertaking)
Rep. By Its Chairman And Managing Director,
Thiru-Vi-Ka Industrial Estate,
Near SIDCO Electronics Complex,
Guindy, Chennai 600032.

2. Estate Officer,
Branch Manager,
Small Industries Development Corporation Limited,
Industrial Estate,
Kakkalur 602003,
Tiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Certiorarified Mandamus, to call for
the records relating to the proceedings of the second respondent
proceedings No.499/B/2008 dated 13.06.2024 and quash the same and



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consequently direct the second respondent to handover the possession of the premises bearing No.G-51D measuring of an extent of 0.0853 acres in S.F.No.497 Part, Thaneerkulam Village, Thiruvallur Taluk and District to the petitioner by extending the time to complete construction within a period of 1 year from the date fixed by this Honourable Court.

For Petitioner : Mr.T.Muruganantham
For Respondents : Mr.G.Vasudevan
Standing Counsel

ORDER

This writ petition has been filed as against the proceedings dated 13.06.2024 on the file of the second respondent, thereby directed the petitioner to handover possession of the premises No.G-51D measuring of an extent of 0.0853 acres in S.F.No.497 Part, Thaneerkulam Village, Thiruvallur Taluk.

2. Heard both sides and perused the materials available on record.

3. It is seen that the petitioner was originally allotted with the subject premises on condition that the petitioner shall commence its business by putting up construction within a period of 18 months. However, the petitioner failed to put up construction and failed to start



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any construction. Therefore, by an order dated 10.04.2015, the allotment of the subject property was cancelled by the proceedings No.6245/IE2/08. Subsequently, the petitioner was served with Form A notice and Form B notice on 12.05.2015 and 30.03.2017 respectively. Even then, the petitioner did not challenge the cancellation order and as such, the petitioner was served with eviction notices dated 05.06.2017 and 19.02.2018. It was challenged before this Court in W.P.No.5438 of 2018 and this Court, by an order dated 31.10.2023 directed to challenge the eviction proceedings by way of an appeal. Accordingly, the petitioner had challenged the eviction notice that too without challenging the cancellation of allotment. It is pending for adjudication in C.M.A.No.8 of 2024 on the file of the Principal District Court, Trivellore, without any interim order. Therefore, the petitioner was served with eviction order dated 13.06.2024. Hence, this writ petition.

4. On instructions, the learned Standing Counsel appearing for the respondents submitted that already the possession of the subject premises was taken over by the second respondent and the entire premises is under



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lock and key of the second respondent.

5. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent and the writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.

27.08.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
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To

1. The Chairman And Managing Director,
Tamil Nadu Small Industries Development
Corporation Limited,
(A Government Of Tamil Nadu Undertaking)
Thiru-Vi-Ka Industrial Estate,
Near SIDCO Electronics Complex,
Guindy, Chennai 600032.
2. Estate Officer,
Branch Manager,
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G.K.ILANTHIRAIYAN. J.

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