



WEB COPY



W.P. No. 33160 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 33160 of 2022

and

W.M.P. No. 32568 of 2022

M/s. SPAC Terminal Market Complex Limited,
Represented by its Director, S.P.Chinnasamy,
P & C Towers, 2nd Floor,
140, Perundurai Road,
Erode – 638 011.

... Petitioner

-VS-

1. State Industrial Promotion Corporation of Tamil Nadu Ltd.,
Represented by its Managing Director,
No. 19A, Rukmani Lakshmipathi Road,
Egmore,
Chennai – 600 008.

2. The Project Officer,
SIPCOT Industrial Park,
Perundurai,
Erode District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records of the First Respondent which culminated in the impugned order No. P-II/SIP-Perundurai/SPAC/2022 dated 26.10.2022 and quash the same.



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For Petitioner : Mr. V.P.Sengottuvel,
Senior Counsel
for M/s. K.Indu Priya

For Respondents : Mr. K.Palaniappan,
Standing Counsel

ORDER

Heard Mr. V.P.Sengottuvel, Learned Senior Counsel appearing for the Petitioner and Mr. K.Palaniappan, Learned Standing Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Senior Counsel appearing for the Petitioner submits that though the Petitioner has challenged the Order No. P-II/SIP-Perundurai/Spec/2022 dated 26.10.2022 cancelling the allotment of plots made in its favour, in view of the subsequent events, which would show that the reasons stated for cancellation have ceased to exist, the Petitioner had made representations dated 21.03.2024 and 25.03.2024 to the Respondents for revocation of the impugned order and that the Petitioner would be satisfied if the said representations are directed to be disposed by the concerned authority within the time limit that may be fixed by the Court. Learned Counsel for the Petitioner has also made an endorsement to that effect in the court record.



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3. Having regard to the limited extent of relief confined by the Petitioner,

this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 21.03.2024 and 25.03.2024 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, 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 working days for the same;
- (iii) 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 and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment; and
- (v) the report of such compliance shall be filed by 30.06.2024 before the Registrar (Judicial) of the Court.



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WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

25.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 01.04.2024.

vjt

To

1. State Industrial Promotion Corporation of Tamil Nadu Ltd.,
Represented by its Managing Director,
No. 19A, Rukmani Lakshmipathi Road,
Egmore,
Chennai – 600 008.
2. The Project Officer,
SIPCOT Industrial Park,
Perundurai,
Erode District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

vjt

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