



W.P.No.7173 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.7173 of 2025
and WMP.Nos.7959 & 7960 of 2025

Pewturman Decor Pvt.Ltd.,
Rep.by its Director & Authorised Signatory
A.A.K.Apath Sakaayem

... Petitioner

vs.

1. Tamil Nadu Small Industries
Development Corporation Limited,
Rep.by its Chairman and Managing Director,
Thiru.Vi.Ka.Indl Estdsate,
Chennai 600 032.

2. The Branch Manager,
Tamil Nadu Small Industries,
Development Corporation Limited
SIDCO Branch Office,
Master Plan Complex,
DCI, 1st Floor, Villipuram-2.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for
issuance of a writ of Certiorarified Mandamus calling for the records of the
impugned order dated 12.02.2025 bearing RC.No.930/E4-2/2015 issued by



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the 1st respondent and the consequential order dated 17.02.2025 bearing Rc.No.615/A/2009 issued by the 2nd respondent and quash the same and consequently direct the 1st respondent to extend time till 31.03.2025 for commencement of production at Plot Nos.14 & 15 (New Plot No.17 & 18 as per approved layout) at SIDCO Industrial Estate, Venmathiyur.

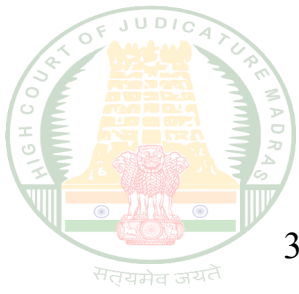
For Petitioner : Mr. Gopika Nambiar

For Respondents : Mr.A.Prabakaran
Standing Counsel

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

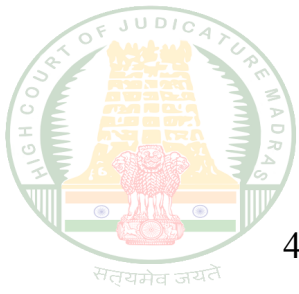
2. The present writ petition has been filed challenging the impugned order passed by the first respondent dated 12.02.2025 and consequential order of the second respondent dated 17.02.2025 and consequential direction to the 1st respondent to extend time till 31.03.2025 for commencement of production at Plot Nos.14 & 15 (New Plot No.17 & 18 as per approved layout) at SIDCO Industrial Estate, Venmathiyur.



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3. It is the case of the petitioner that he was allotted a plot by SIDCO

for setting up a furniture manufacturing unit an after payment of the entire consideration, possession was handed over on 16.08.2010. As per the conditions of allotment, the commencement of operations at the industrial unit ought to begin within 7 years from the date of handing over possession. However, within a period of 2 years itself, SIDCO passed an order dated 11.03.2015 cancelling the plot that was allotted on account of non-utilization. From 11.03.2025 till 13.03.2024, the petitioner company was barred from getting on with the construction of the industrial unit as the order of cancellation dated 11.03.2015 was operating against it. Challenging the order of cancellation dated 11.03.2015, the petitioner filed O.S.No.2405 of 2015 on the file of VIII Assistant Judge, City Civil Court, Chennai. The said suit was dismissed on 27.10.2017. Aggrieved by the order dated 27.10.2017, the petitioner preferred an appeal in A.S.No..96 of 2018 on the file of V Additional City Civil Court, Chennai. The said appeal was allowed on 18.07.2019 and the order of cancellation dated 11.03.2015 passed by SIDCO was set aside on the ground that the explanation offered by the petitioner company was not considered before passing the impugned order.



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4. It is the further case of the petitioner that the appellate Court had

directed SIDCO to conduct a fresh enquiry on the aspect of cancellation of allotment of the plot. Without doing so, the 2nd respondent passed the order dated 02.03.2022 imposing penalty. This Order was challenged by the petitioner in W.P.No.14085 of 2022 before this Court. Accepting the contention of the petitioner company, this Court passed an order dated 26.09.2023, setting aside the order dated 02.03.2022 passed by the 2nd respondent. The findings of the enquiry culminated in the passing of a detailed order dated 22.01.2024 by the first respondent. Penalty was waived in entirety and time was granted till January 31 to commence operation. Due to factors beyond the control of the petitioner, on 28.02.2025, the petitioner requested time until 31st March to commence operation. Substantial construction was already completed. However, the 1st respondent passed an order granting extension of time only upto 28th February on condition of payment of penalty of Rs.9316/-. Challenging the impugned order dated 12.02.2025 and consequential order dated 17.02.2025, the petitioner has filed the present writ petition.



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5. The learned Standing counsel appearing for the respondents submitted that the second respondent SIDCO granted time by 28.02.2025 for construction work. Again, the petitioner has requested for further extension of time only upto 31.03.2025 for the commencement of production in the D.P.Nos.14 & 15 (New No.17 & 18) at Industrial Estate, Venmaniathur.

6. Heard the learned counsel appearing on either side and also perused the materials available on records.

7. In view of the factual matrix of the case, this Court is inclined to pass the following orders:-

- I) the impugned order passed by the first respondent dated 12.02.2025 and the consequential order passed by the second respondent dated 17.02.2025 are hereby set aside.
- ii) The first respondent is directed to extend the time till 31st March, 2025 for commencement of production at Plot Nos.14 & 15 (New Plot Nos.17 & 18 as per approved layout at SIDCO Industrial Estate, Venmathiyur.



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J.SATHYA NARAYANA PRASAD,J.

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This writ petition stands allowed with the above observation and direction. No costs. Consequently, connected miscellaneous petitions are closed.

03.03.2025

Index : Yes/No.
Internet : Yes/No.
Neutral Citation : Yes/No
Speaking : Non-speaking Order
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To

1. Tamil Nadu Small Industries
Development Corporation Limited,
Rep.by its Chairman and Managing Director,
Thiru.Vi.Ka.IndlEstsate,
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