



WEB COPY

WP No. 27541 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MRS.JUSTICE N. MALA

WP No. 27541 of 2026

Dr.PA.Muththamizh

..Petitioner(s)

Vs

1. District Appropriate Authority / Joint Director
Under Pre-conception and Pre-natal Diagnostic
Techniques
(Prohibition of Sex Selection) Act 1994
Salem District.
2. The Director of Medical and Rural Health
Services,
Directorate of Medical and Rural Health
Services,
Teynampet,
Chennai-600 006.
3. The Joint Director of Health Services,
District Collectorate office,
4th Floor,
Salem District.
4. The Chief Medical Officer
Vazhapadi,
Salem.

..Respondent(s)

PRAYER : For a mandamus to direct the 2nd and 3rd respondents to de-seal the rented building at door No.9/306, Siva Complex, Kozhipannai Bus Stop,



Senai Nagar, Valasaiyur Main Road, Veeranam, Salem District, which was sealed on 26.02.2025 by the respondents and to release the ultrasound machines seized on 26.02.2025 to the petitioner and thereby enabling the petitioner to surrender the building to the landlord, by considering the petitioner's representation, dated 22.06.2026.

For Petitioner(s): Mr.C.Emalias
For Respondent(s): Mr.K.Surendar,
Govt. Advocate.

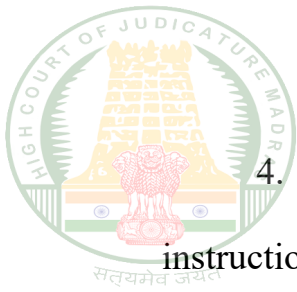
ORDER

(Order of the Court was made by Dr.G.Jayachandran J.)

The petitioner herein, a doctor by profession, was carrying on Scan Centre, by name, Pasupathy Scan Centre, at Veeranam, Salem District. Since the activity of the said Scan Centre had come to adverse notice of the authorities, the premises was sealed on 26.02.2025.

2. The present Writ Petition has been filed on the ground that no notice was issued before sealing the premises and, in view of the sealing of the premises, the machineries are lying unutilised without proper maintenance. Therefore, a mandamus is sought for, directing the respondents 2 and 3 to de-seal the premises and release the ultra-sound machineries, seized on 26.02.2025.

3. Learned counsel for the petitioner submitted that since the building in question is a rented premises, the petitioner is forced to pay rent without any utilisation.



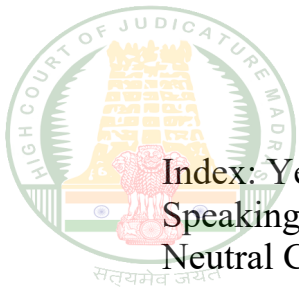
4. In that context, the Government Advocate was directed to take instructions and report regarding the request of the petitioner to de-seal the premises temporarily for removing the properties kept inside the premises.

5. Pursuant to the said direction, the learned Government Advocate, on instructions, submits that there will not be serious objection for the respondents to de-seal the premises, however, for removal of the machinery, he submits that it is the subject matter of criminal proceedings and the same cannot be returned to the petitioner, as it is kept in Government Hospital premises at Attur.

6. Considering the submission and objection as above, we are of the view that the premises, which is presently sealed, being a rented one, owned by one M.Ashok Kumar, for the purpose of criminal prosecution and other actions, sealing of the same is not required any further, however, the machinery, if there is any prohibitory order against the petitioner to run a scan centre, cannot be interfered with by this Court in exercise of its power under Article 226 of the Constitution of India.

7. Hence, this Writ Petition is partly allowed, directing the Joint Director of Health Services, Salem, third respondent herein, to de-seal the premises in question forthwith. In so far as the return of the machinery/articles, the petitioner has to work out the remedy before appropriate forum. No costs.

(G.J.,J.) (N.M.,J.)
24-07-2026



Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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DIXIT

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AND
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