



W.P.(MD) No. 22959 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 22959 of 2026

N.Ayyan Karthikeyan

...Petitioner

Vs.

1.The Sub Collector/Revenue Divisional Officer
Sivakasi.

2.The Tahsildar,
Satchiyapuram,
Sivakasi Taluk,
Virudhunagar District.

3.The Superintendent of Police,
Virudhunagar District.

4.The Inspector of Police,
Maraneri Police Station.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the Respondents herein to hand over the key of the petitioner's premise situated in Door no.5/590 in survey No.1025/17 of Ayanur Village, Sivakasi Taluk.



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For petitioner : M/s.P.Subathra Devi
For R1 & R2 : Mr.S.Vashik Ali,
Additional Government Pleader
For R3 & R4 : Mr.P.Vetrivel,
Government Advocate (Crl.side)

ORDER

Mr.S.Vashik Ali, learned Additional Government Pleader, takes notice for the respondents 1 and 2 and P.Vetrivel, Government Advocate (Crl.side), takes notice for the respondents 3 and 4.

2. This Writ Petition is taken up for final hearing at the time of admission with the consent of the learned counsel for the petitioner, learned Additional Government Pleader for the respondents 1 and 2 and Government Advocate (Crl.side) for the respondents 3 and 4.

3. The petitioner is the owner of a godown in D.No.5/590, Survey No. 1025/17, Ayanur Village, Sivakasi Taluk. It appears that an FIR has also been registered by the fourth respondent in Crime No.114 of 2026 against the



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WEB GATE petitioner under Section 9B(1)(b) of the Explosives Act, 1884, for allegedly storing explosives in the godown.

4. It is the case of the petitioner that there was a fire accident in the neighbouring plot, which is owned by the petitioner's father, and that raw material was stored in the petitioner's premises. It is submitted that there is no scope for keeping the petitioner's godown under lock and key by the respondents.

5. Specifically, the learned counsel for the petitioner has drawn attention to Rule 128 of the Explosives Rules, 2008.

6. The learned Additional Government Pleader for the respondents 1 and 2 submits that after the search was conducted by the respondents 1 and 2, the keys have been handed over to the fourth respondent.

7. Rule 128(3) of the Explosives Rules, 2008, reads as under:



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“Whenever any explosives are seized, they shall be stored in an isolated place under adequate guard until examination by the Chief Controller or Controller and receipt of instructions from him as to their disposal.”

8. A reading of the said Rule indicates that there is no scope for keeping the petitioner's property under lock and seal. It is for the authorities under the Act and the Rules made thereunder to store the explosives in an isolated place. The petitioner's premises cannot be continued to be used for storing the seized material.

9. Considering the same, I direct fourth respondent to hand over the key, after due compliance of all procedures, so that the evidence in Crime No. 114/2026 registered for the offences under Section 9B(1)(b) of the Explosives Act, 1884, is not tampered with or destroyed or reduced in its intrinsic value of the seized material. The fourth respondent is directed to comply with the procedure prescribed for storage of seized material and hand over possession of the premises to the petitioner, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order.



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10. In case the material has already been removed, the vacant possession shall be handed over to the petitioner immediately.

11. This Writ Petition is disposed of, with the above observations. No costs.

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Internet : Yes / No

apd

To

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Sivakasi.

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C.SARAVANAN, J.

apd

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