

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.1595 of 2015

And

M.P.No.1 of 2015

S.K.Parthasarathy ... Petitioner

Vs.

- 1.The Deputy Commissioner (A),
South Office,
Civil Supplies and Consumer Protection Department,
Ezhilagam Annex, 4th Floor, Chepauk,
Chennai - 600 005.
- 2.The Assistant Commissioner,
Civil Supplies and Consumer Protection Department,
St.Thomas Mount Zone
Chennai - 600 088. ... Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the seal affixed by the 2nd respondent in the premises bearing Door no 11/23, Five Furlong Road, Maduvankarai, Guindy, Chennai 600 032, enabling the petitioner to use and occupy the building to the extent of 300 sq.ft.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

Heard Mr.T.Ramachandran, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents.

2.The petitioner seeks for a direction to the second respondent to remove the seal affixed in the premises at Door no 11/23, Five Furlong Road, Maduvankarai, Guindy, Chennai 600 032.

3.It is admitted by the petitioner that his father was carrying on business in kerosine and on account of certain illegality committed, case was registered against the petitioner's father and the premises was sealed.

4.It is submitted that the petitioner's father died on 05.12.2012 and the petitioner and other legal heirs are not carrying on the said business. Therefore, they approached the said respondent for removing the seal affixed in the building.

5.In the light of the fact that the petitioner's father is no more, the criminal case filed against the person also cannot be proceeded further. In such circumstances, the second respondent is directed to remove the seal affixed in the premises bearing Door no 11/23, Five Furlong Road, Maduvankarai, Guindy, Chennai 600 032 to enable the petitioner to use the building for some other purpose. The above direction shall be carried out within a period of two weeks from the date of receipt of a copy of this order.

6.This writ petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (AD I)

/true copy/

Sub Asst. Registrar

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To

1.The Deputy Commissioner (A),
South Office,
Civil Supplies and Consumer Protection Department,
Ezhilagam Annex, 4th Floor, Chepauk,
Chennai - 600 005.

2.The Assistant Commissioner,
Civil Supplies and Consumer Protection Department,
St.Thomas Mount Zone Chennai - 600 088.

1 cc to Government Pleader, Sr. 1185

1 cc to M/s.T. Ramechandren, Advocate, Sr. 11718

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MP (CO)
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