

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.02.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.840/2011 & MP.No.1/2011

A.Manoharan

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Petitioner

Versus

1.The Block Development Officer
Cuddalore Panchayat Union
Cuddalore, Cuddalore District.

2.The Panchayat President
Pathirikuppam Village and Panchayat
Cuddalore Panchayat Union,
Cuddalore Taluk, Cuddalore District.

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the Panchayat President to remove the Lock and Seal made by him to the petitioner's premises bearing door No.91 Venkatesan Nagar, Koothapakkam, Cuddalore District.

For Petitioner : Mr.D.Rajagopal
For Respondents : Mr.S.Gunasekaran, GA for R1
M/s.Shanthi Rakkappan for R2

ORDER

Heard Mr.D.Rajagopal, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the 1st respondent and M/s.Shanthi Rakkappan, learned counsel appearing for the 2nd respondent and perused the material available on record.

2.The petitioner has filed the present petition seeking direction upon the 2nd respondent to remove the lock and seal affixed on the petitioner's premises in door No.91 Venkatesan Nagar, Koothapakkam, Cuddalore District.

3.The petitioner was initially running a chicken stall in the said premises and on account of unhygienic condition, action was taken against the petitioner and pursuant to the direction issued by this Court in WP.No.11574/2009 and 7901/2009 dated 16.12.2009, the

petitioner's shop was sealed. Now the petitioner would state that he does not propose to run the chicken stall ; but proposes to demolish the shop and reconstruct the same to augment his income.

4.In the light of the stand taken by the petitioner, there cannot be any impediment for the 2nd respondent to remove the lock and seal.

5.Accordingly, the petitioner is directed to approach the 2nd respondent by way of representation undertaking that he does not propose to run the chicken stall in the said premises and also stating that he proposed to demolish the same. On such undertaking being given by the petitioner, the 2nd respondent is directed to unlock and unseal the premises within a period of six weeks from the date of receipt of the representation to be made by the petitioner.

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

Sd/-

Asst.Registrar

/True Copy/

Sub Asst. Registrar

AP

To

1.The Block Development Officer
Cuddalore Panchayat Union
Cuddalore, Cuddalore District.

2.The Panchayat President
Pathirikuppam Village and Panchayat
Cuddalore Panchayat Union,
Cuddalore Taluk, Cuddalore District.

+1 CC to Mr.D.Rajagopal, Advocate SR 7829

MSM(CO)
PKS
21/02/2015

WP.No.840/2011
& MP.1/2011