

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.24328 of 2018

M.Rajamanickam

... Petitioner

Vs

The Joint Director of Medical &
Rural Health Service & Family Welfare,
Kuppur Post,
Dharmapuri - 4.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to break open the Lock and Seal put up by the respondent in the room of petitioner's building situated in Dharmapuri District, Dharmapuri Taluk, Ungurana Alli Village and consequently handed over the room to him by considering his representation dated 08.08.2018.

For Petitioner : Mr.K.Arunraj

For Respondent : Mr.R.Govindasamy,
Special Government Pleader.

O R D E R

The petitioner seeks for Mandamus directing the respondent to break open the Lock and Seal put up by the respondent in the room of petitioner's building situated in Dharmapuri District, Dharmapuri Taluk, Ungurana Alli Village and consequently handed over the room to him by considering his representation dated 08.08.2018.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondent.

3. The petitioner claims to be the owner of the property situated in Survey No.292/23 measuring an extent of 0.06.0 hectare at Ungurana Alli Village, Dharmapuri Taluk and District. It is further claimed by the petitioner that he has put up a construction therein and let one of the premises to one Muthu for rental and that the said person was running a Clinic. It is

further stated that on 11.06.2018, the respondent searched the said premises, where the Clinic was run by the said Muthu and locked the same on the allegation that the said Muthu was running the Clinic without having any valid qualification. Therefore, the petitioner seeks for de-sealing the premises and for handing over the same to him. Ventilating such grievance, the petitioner has made such representation on 08.08.2018.

4. This Court, at this stage, is not expressing any view on merits of the claim made by the petitioner as it is for the respondent to consider the said representation and pass appropriate orders on merits and in accordance with law, after hearing the petitioner as well as the other person, who was in possession of the premises. Thus, this Writ Petition is disposed of by directing the respondent to pass orders on the representation of the petitioner on merits and in accordance with law, after giving due opportunity of hearing to the petitioner and other person by name Muthu. Such exercise shall be done by the respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

gsi/vsi

To

The Joint Director of Medical &
Rural Health Service & Family Welfare,
Kuppur Post,
Dharmapuri - 4.

+1cc to Mr.K.Arunraj, Advocate SR.No.0703

+1cc to Government Pleader SR.No.10738

MR(CO)
GMY (27/02/2019)

W.P.No.24328 of 2018