



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.8953 OF 2021

C.Akilandeswari

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep.by its Chief Secretary,
Health & Family Welfare Department,
Fort George, Chennai - 09.
2. The Deputy Director of Health Services,
Health Department,
No.219-A, Race Course Road,
Coimbatore - 641 018.

...Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents and thereby direct the second respondents to open the seal of the petitioner house at No.2/219, R.M.S. Colony, D.D.Palayam Salai, Coimbatore 641 010 consequently directing the respondents to consider the petitioner's representation dated 18.03.2021, in accordance with law.

For Petitioner : Mr.S.Senthilvel

For Respondents : Mr.Stalin Abimanyu, GA

O R D E R

This writ petition has been filed seeking a direction to the second respondent to consider the petitioner's representation dated 18.03.2021 and open the seal of the petitioner's house, in accordance with law.

2. According to the petitioner, as she completed diploma in Yoga and Naturetarpy, she is conducting yoga class to the local people. However, on 02.03.2021, the second respondent officials



have locked and sealed the petitioner's house situated at No.2/219, R.M.S. Colony, D.D.Palayam Salai, Coimbatore 641 010, on the pretext that she is teaching yoga to the public without license. So, the petitioner is running from pillar to post to get remedy from the authority concerned. However, her efforts ended in vain. Therefore, this writ petition.

3. The learned counsel for the petitioner submitted that without issuing any notice to the petitioner, her house has been locked and sealed by the second respondent officials. Hence, the petitioner made a representation dated 18.03.2021 to the second respondent narrating the entire facts and requesting to remove the lock and seal put on her house, which is kept pending, without any action.

4. The submission so made by the learned counsel for the petitioner has been resisted by the learned Government Advocate appearing for the respondents. According to him, the petitioner is taking yoga class without any licence and hence, her house was sealed and locked by the respondent officials. However, he submitted that the claim of the petitioner would be considered and appropriate orders be passed by the authorities, on merits.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the second respondent to consider the representation of the petitioner dated 18.03.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner. Such an exercise shall be completed within a period eight weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Secretary to Government,
Health & Family Welfare Department,
Fort George,
Chennai - 09.



2. The Deputy Director of Health Services,
Health Department,
No.219-A, Race Course Road,
Coimbatore - 641 018.

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SKY (CO)
PBS/02/08/2021