



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.19383 of 2021

and

W.M.P.No.20683 of 2021

J.Thirunavukkarasu

... Petitioner

-vs-

1 State of Tamil Nadu
Rep by its Secretary to Government,
Department of Home Affairs,
St.George Fort, Chennai - 600 009

2 The Director General of Police,
Dr.Radhakrishnan Road, Mylapore,
Chennai- 600 004.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 7.9.2021 and direct the District Administration in the State of TamilNadu to open the seized and sealed godowns of the Vinayaka Idol Sellers, release the arrested Vinayaka Idols sellers immediately and permit the Vinayaka Idol sellers to eke out their livelihood by selling Vinayaka Idols made of paper and clay throughout the State during the Festival Time of Vinayaka Chathurthi in consonance with the guidelines issued by the Government in G.O.Ms.No.765 Public (L&O B) Department dated 30.8.2021 and the orders of the Honourable High Court dated 6.9.2021 in W.P.No.18764 of 2021.

For the Petitioner : Mr.M.Ramamoorthy

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner claims that since the Vinayaka Chathurthi is already over, much of the petition has lost all meaning. At any



rate, the petitioner says that a previous order of the court of September 6, 2021 passed on another petition had substantially taken care of the petitioner's concerns.

2. It is submitted by the petitioner that the only one aspect which remains is the sealing of the godowns of manufacturers of Vinayaka idols.

3. It does not appear that the petitioner's godown has been sealed. At any rate, there is no reference to the petitioner's godown being sealed in the petition. Learned State Government Pleader, Mr.P.Muthukumar, appearing for the respondent Nos.1 and 2 says that the petitioner's godown in Thiruvennainallur has not been sealed.

4. No omnibus order can be passed in respect of godowns that may have been sealed. If at all, the sealing of a godown would give rise to a personal cause of action and cannot be espoused by way of a public interest litigation. Since there is no clear averment in the petition that the petitioner's godown has been sealed and since it is submitted on behalf of the State that the petitioner's godown has not been sealed, the petition is disposed of by recording the State's submission as aforesaid.

W.P.No.19383 of 2021 is disposed of. W.M.P.No.20683 of 2021 is closed. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

Sra

To:

- 1 The Secretary to Government,
Department of Home Affairs,
St.George Fort, Chennai - 600 009.
- 2 The Director General of Police,
Dr.Radhakrishnan Road, Mylapore,
Chennai- 600 004.

W.P.No.19383 of 2021

BS (CO)
GN(20/09/2021)