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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.27144 of 2021

Ramasamy

... Petitioner

vs.

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Agricultural Officer cum
Fertilizer Inspector,
Office of the Assistant Director of Agriculture,
Pollachi.
3. The Inspector of Police,
Gomangalam Police Station,
Coimbatore District.
4. Mumurthy ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondents 1 to 3 to de-seal the Godown comprised in S.F.No.392/A, Yuvabarathi Nagar, Gomangalam Pudhur, Coimbatore District and hand over the vacant possession of the same to the Petitioner within a time frame as fixed by this Hon'ble Court considering the petitioners representation dated 11.10.2021.

For Petitioner	:	Mr.N.Balakrishnan
For Respondents 1 & 2	:	Mr.K.Karthikeyan, Government Advocate
For 3 rd Respondent	:	Mr.R.Murthi, Government Advocate
For 4 th Respondent	:	No appearance



ORDER

Petitioner has come up with the present Writ Petition seeking a direction to Respondents 1 to 3 to de-seal the Godown comprised in S.F.No.392/A, Yuvabarathi Nagar, Gomangalam Pudhur, Coimbatore District and hand over vacant possession of the same to him.

2. According to the Petitioner, he owns a Godown in S.F.No.392/A, Yuvabarathi Nagar, Gomangalam Pudhur, Coimbatore District and he rented out the same to the 4th Respondent herein by way of an oral Agreement and as such, his tenant is using the said Godown for storing and selling fertilizers for the purpose of Agriculture. On 18.01.2021, the Respondents herein conducted a joint inspection in the said Godown on the allegation that, the 4th Respondent has not maintained proper licence and documents with regard to details of suppliers of Urea fertilizers and the sale of fertilizers for industrial purpose. Under such circumstances, the 3rd Respondent registered a case in Crime No.21 of 2021. Pursuant to the same, the Petitioner's premises was sealed and kept closed. As the 4th Respondent is also not paying the rent for the Godown, the Petitioner made a representation dated 11.10.2021 to Respondents 1 to 3 to de-seal the Godown in question and hand over vacant possession of the same. As the said representation has not been considered till date, the Petitioner is before this Court with the above Writ Petition.

3. Learned counsel for the Petitioner submitted that, a direction may be issued to the 1st Respondent herein to dispose of the Petitioner's representation in accordance with law, within a stipulated time.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case and without going into its merits, this Court directs the 1st Respondent herein to consider the Petitioner's representation dated 11.10.2021 in accordance with law and pass appropriate orders, after giving an opportunity of hearing to the Petitioner and the 4th Respondent herein, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



To:

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1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Agricultural Officer cum
Fertilizer Inspector,
Office of the Assistant Director of Agriculture,
Pollachi.
3. The Inspector of Police,
Gomangalam Police Station,
Coimbatore District.

+lcc to Mr.M.N.Balakrishnan, Advocate, S.R.No.68427
+lcc to the Government Pleader, S.R.No.68674

W.P.No.27144 of 2021

RK(CO)
SB(03/01/2022)