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W.P.(MD)No.476 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.476 of 2021

and W.M.P. (MD) No.408 of 2021

(Through Video Conferencing)

Jeyachithra

: Petitioner

Vs.

1.The Director Town and Country Planning
807 Annasalai, Chennai.

2.The Commissioner
Palani Municipality
Palani, Dindigul District.

3.The Member Secretary/Commissioner,
Town Planning Authority
Palani Municipality
Palani, Dindigul District.

4.K.P.Chandrasekaran

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents 2 and 3 to remove the lock and seal made in the petitioner's shops situated at No.12B Parvathi Illam, Shanmugapuram, Palani -2 , Dindigul District.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.K.P.Krishnadoss for R1
Special Government Pleader
Mr.L.P.Maurya for R2 & R3
Mr.Chandrasekar for R4

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The writ petition has been filed for a direction to the respondents 2 and 3 to remove the lock and seal made in the petitioner's shops situated at No.12B Parvathi Illam, Shanmugapuram, Palani -2 , Dindigul District.

2. Though the petitioner has sought for a larger relief, the learned counsel for the petitioner submitted that it would suffice

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if a direction is issued to the respondents 2 and 3 to permit the petitioner, in their presence, to remove the belongings inside the 14 shops, which are under lock and seal.

3. It appears that such an action was taken pursuant to the action of this Court. However, we do not wish to go into the validity of the action taken, as request of the petitioner itself is to permit her to remove the belongings kept inside the shops, which have been put under lock and seal. For the aforesaid request, there cannot be any objection from the respondents 2 and 3.

4. The learned counsel for the respondents 2 and 3 submitted that in the eventuality, such removal will have to be made in the presence of the officials of the respondents 2 and 3, who can have assistance of the police.

5. In such view of the matter, we permit the petitioner to remove the belongings inside the 14 shops on 20th of this Month in the presence of respondents 2 and 3, who, after facilitating such removal, shall once again put the shops under lock and seal.

6. The writ petition stands disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Director Town and Country Planning
807 Annasalai, Chennai.

2.The Commissioner
Palani Municipality
Palani, Dindigul District.

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3.The Member Secretary/Commissioner,
Town Planning Authority
Palani Municipality
Palani, Dindigul District.

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+1 CC to SGP (SR-1159[F] dated 19/01/2021)

+1 CC to M/s.L.P.MAURYA, Advocate (SR-910[F] dated 18/01/2021)

Order made in
W.P. (MD) No. 476 of 2021

Dated: 11.01.2021

TP (CO)
NR (04/02/2021) 3P : 6C