



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD) No.22366 of 2021

and

W.M.P (MD) No.18926 of 2021

S.Senguttuvan

... Petitioner

vs.

1. The District Collector,
Thanjavur District, Thanjavur.

2. The District Revenue Officer,
Thanjavur District, Thanjavur.

3. The Tahsildar,
Thanjavur 613 104.

4. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to release 1138 of bags of paddy and to remove the seal from the godown located at Sai Baba Nagar, Vallam, Thanjavur based on the representation submitted by the petitioner, dated 22.10.2021 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.J.John Rajadurai
Government Advocate

ORDER

Heard Mr.G.Sankaran, learned counsel for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who takes notice for all the respondents.

2.The writ petition has been filed in the nature of Writ of Mandamus seeking a direction to the respondents to release 1138 bags of paddy and to remove the seal from the godown at premises in Saibaba Nagar, Vallam,in Thanjavur District. The petitioner had given a representation on 22.10.2021.



3.It is the contention of the petitioner that he had purchased 1138 bags of paddy from various sources. But for reasons best known, he had put the said paddy in bags which are exclusively given for TNCSC purposes. It is claimed by the learned counsel for the petitioner that those bags had been sold in open market and the petitioner had purchased those gunny bags and had put the paddy in those gunny bags. However, a criminal case had been lodged against the petitioner under Section 3 r/w 7(1)(a)(ii) of the Essential Commodities Act in Crime No.106 of 2021 by the CSCID Police Station in Thanjavur District. The learned counsel for the petitioner claims that he had been granted anticipatory bail and therefore, he is innocent of all the allegations made in the First Information Report.

4.Such a claim made by the learned counsel for the petitioner is not correct and he can be either convicted or acquitted only by due process of law and grant of anticipatory bail does not make him a holy person.

5.It is represented by Mr.J.John Rajadurai, learned Government Advocate for the respondents, that an enquiry had been conducted and it has been established by the respondents that the rice which had been seized or rather found in the godown at the aforesaid premises, had been purchased from Anganvadi Centre and only Food Corporation of India rice are alone supplied to Anganvadi Centre and those rice are not meant for private sales or for a private purchase.

6.Obviously, the petitioner has been trading rice which is meant for public distribution. The representations of the petitioner is not based on true facts.

7.Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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 District Collector,
Thanjavur District, Thanjavur.
 2. The District Revenue Officer,
Thanjavur District, Thanjavur.
 3. The Tahsildar,
Thanjavur 613 104.
 4. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Thanjavur.
- +1 CC to M/s.SPL GP (SR-39485[F] dated 20/12/2021)

W.P. (MD) No.22366 of 2021

16.12.2021

USK (31.12.2021) 3P 5C