



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.05.2022

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 12253 of 2022

Karesh

.. Petitioner

Versus

1. The Tamil Nadu Industrial Investment Corporation Limited
Represented by its Managing Director
Having its Registered office at
No.692, Anna Salai
Nandanam, Chennai - 35
 2. The Tamil Nadu Industrial Investment Corporation Limited
Represented by its Branch Manager
Hosur Branch
308 & 309, SIPCOT Industrial Complex
Opp.LAL, near SBI/HOSTIA Office
Mookandapalli, NH 47 Hosur 635 126
Krishnagiri District
 3. M/s.Achutha Engineering Pvt Ltd
Represented by its Managing Director G. Narayanan
Office at No.3C1, Electronic Industrial Estate
Hosur - 635 109
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to temporarily open the lock and seal put up at Plot No.3C1 Electronics Industrial Estate, Hosur 635109 to take back petitioners property, based on the letter dated 30.04.2022.

For Petitioner : Mr. S.C. Vishwanth

For Respondents : Mr.K.Magesh for R1 & R2

O R D E R

The present writ petition has been filed praying for issuance of a Writ of Mandamus directing the second respondent to temporarily open the lock and seal put up at Plot No.3C1



2. According to the petitioner, he is the sole proprietor of the firm KARESH and is engaged in the business of automobile spare parts manufacturing, welding and wedging. Such business is being carried on in the premises owned by the third respondent, which the petitioner had taken on rent. While so, the respondents 1 and 2 locked the premises of the firm pursuant to a possession notice dated 28.04.2022 issued to the third respondent. On enquiry, it came to light that the third respondent had availed loan by pledging the premises along with the machineries in favour of the second respondent, but failed to repay the same. The petitioner further averred that due to the lock and seal of the premises, where he was running the business, he could not take his properties from the premises. The petitioner apprehends that the chemicals stored in the premises may turn into poisonous gaseous substances, which would be more hazardous. Therefore, he sent a letter dated 30.04.2022 to the respondents 1 and 2 requesting them to open the premises to enable him to take out his properties. However the request has not been considered till date. Hence, the petitioner has come up with this writ petition.

4. On the other hand, the learned counsel appearing for the respondents 1 and 2 fairly submitted that the respondent authorities would consider the claim of the petitioner and pass appropriate orders, on merits, within a time frame to be stipulated by this court.

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 respondents 1 and 2 herein to consider the petitioner's letter dated 30.04.2022, after providing an opportunity of hearing to the petitioner, third respondent as well as any other interested parties and thereafter, pass an order, on merits and in accordance with law,



within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

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Sd/-
VACATION OFFICER

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

1.The Managing Director
The Tamil Nadu Industrial Investment Corporation Limited
Having its Registered office at
No.692, Anna Salai
Nandanam, Chennai - 35

2.The Branch Manager
The Tamil Nadu Industrial Investment Corporation Limited
Hosur Branch
308 & 309, SIPCOT Industrial Complex
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Mookandapalli, NH 47 Hosur 635 126
Krishnagiri District

+1cc to Mr.K. Magesh, Advocate, S.R.No.31172

W.P. No. 12253 of 2022

AK-II(CO)
CT 19/05/2022