



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.5870 of 2022

and

W.M.P. (MD) .No.4630 of 2022

Siva Sakthi Enterprises,
Represented by its Proprietor,
K.Karthikeyan.

... Petitioner

Vs.

1.The District Revenue Officer,
Thoothukudi.

2.The Inspector of Police,
Thoothukudi Police Station,
CSCID - Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the proceeding of the first respondent in Na.Ka.U.Po.1/33437/2021 dated 18.03.2022 and quash the same.

For Petitioner	:	Mr.C.K.M.Appaji
For Respondents	:	Mr.D.Sasikumar, Additional Government Pleader.

ORDER

This Writ Petition has been filed challenging the notice dated 18.03.2022 alleged to have been passed under Section 6-A of the Essential Commodities Act.

2. Under the impugned communication, the first respondent has advised the petitioner to pay Rs.20,00,000/- being the market value of the vehicle or else the vehicle will be sold in public auction. The petitioner has filed this Writ Petition on the apprehension that proceedings under the Essential Commodities Act have already been initiated.

3. However, the learned Additional Government Pleader appearing for the respondents, today, submits that till date, no proceedings have been initiated against the petitioner under the Essential Commodities Act. He would also submit that only by following the procedure established under law, and only after giving notice to the



petitioner, proceedings under the Essential Commodities Act will be initiated by the respondents. Therefore, the apprehension raised by the petitioner in this Writ Petition is uncalled for.

4. Learned counsel for the petitioner seeks for quashing of the impugned communication. No prejudice would be caused to the respondents, if the impugned communication is quashed, as till date, no proceedings have been initiated by the respondents against the petitioner under the Essential Commodities Act with regard to the confiscation of his vehicle.

5. For the foregoing reasons, the impugned communication dated 18.03.2022 passed by the first respondent is hereby quashed and the Writ Petition is disposed of in the above terms. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The District Revenue Officer,
Thoothukudi.

2.The Inspector of Police,
Thoothukudi Police Station,
CSCID - Madurai.

+1 CC to M/s.C.K.M. APPAJI, Advocate (SR-17669[F] dated
11/04/2022)

+1 CC to M/s.SPL.GP (SR-17538[F] dated 08/04/2022)

W.P. (MD) .No.5870 of 2022
07.04.2022

MGJ(20.04.2022) 2P 5C