



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7759 of 2022

Kannan @ Kulimathur Kannan

... Petitioner

/Vs./

1.The Senior Regional Manager /District Revenue Officer,
Tamil Nadu Civil Supply Corporation,
Thanjavur.

2.The Inspector of Police,
Civil Supplies CID Police Station,
Thanjavur Unit,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 29.08.2021 and to direct him to return the petitioner's 478 tons of paddy bags which were seized by the first respondent from Vasuki Godown situated at Elapatti Village, Thanjavur Taluk.

For Petitioner : Mr.S.Venkatesan

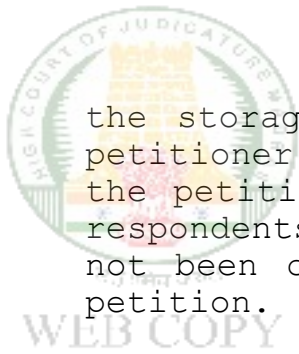
For R1 : Mr.G.Mohankumar
Standing Counsel

For R2 : Mr.M.Lingadurai
Special Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to return the 478 tons of paddy bags to the petitioner based on the petitioner's representation dated 29.08.2021, within a time frame to be fixed by this Court.

2.According to the petitioner, the first respondent on 28.08.2021 illegally seized the paddy from the petitioner, though it was legally stored by him. The petitioner also submits that he has already given an explanation to the first respondent with regard to



the storage of 478 tons of paddy which was seized by them. The petitioner seeks for return of the seized paddy weighing 478 tons to the petitioner and has given a representation on 29.08.2021 to the respondents for the said purpose. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.S.Venkatesan, learned Counsel appearing for the writ petitioner, Mr.G.Mohankumar, learned Standing Counsel who accepts notice on behalf of the first respondent and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the second respondent.

4. The learned Standing Counsel appearing for the first respondent would submit that an FIR has already been registered in Crime No.142 of 2021, for the alleged offences under Section 3 r/w. Section 7(1)(a)(ii) of the Tamil Nadu Essential Commodities Act, 1955, against the petitioner. He would submit that the first respondent is ready and willing to consider the petitioner's representation on merits and in accordance with law after holding a proper enquiry and after hearing the necessary parties including the petitioner.

5. No prejudice would be caused to the first respondent, if the petitioner's representation seeking for return of his paddy is considered on merits and in accordance with law after affording a fair hearing to the petitioner and other necessary parties whom the first respondent deems fit to enquire.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 29.08.2021, seeking for return of 478 tons of paddy seized from the petitioner on 28.08.2021 within a period of two [2] months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and other necessary parties whom the first respondent deems fit to enquire, including granting them the right of personal hearing.

7. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The Senior Regional Manager
Cum The District Revenue Officer,
Tamil Nadu Civil Supplies Corporation,
Thanjavur Region,
Thanjavur District.

2.The Inspector of Police,
Civil Supplies CID - Madurai,
Thanjavur Police Station,
Thanjavur.

+1 CC to M/s.G. MOHAN KUMAR, Advocate (SR-20700[F] dated
22/04/2022)

+1 CC to M/s.S.VENKATESAN, Advocate (SR-20759[F] dated 25/04/2022)

+1 CC to M/s.SPL.GP (SR-20891[F] dated 25/04/2022)

W.P. [MD]No.7759 of 2022

Dated:

22.04.2022

RK(05/05/2022) 3P 6C