



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.7718 of 2022

WEB COPY

S.Srinivasan

... Petitioner

Vs.

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.
(Crime No.142 of 2021)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to return the paddy weighing 150 Tons to the petitioner within a time frame fixed by this Court on the basis of his representation dated 13.04.2022.

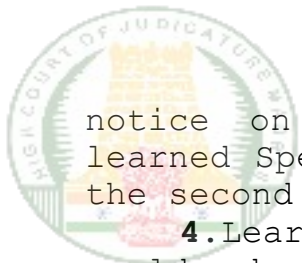
For Petitioner : Mr.T.Vadivelan
For Respondent No.1 : Mr.G.Mohankumar
Standing Counsel
For Respondent No.2 : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to return the paddy weighing 150 tons to the petitioner based on the petitioner's representation dated 13.04.2022, 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 150 tons of paddy which was seized by them. The petitioner seeks for return of the seized paddy weighing 150 tons to the petitioner and has given a representation on 13.04.2022 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.T.Vadivelan, 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.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) (2) 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 13.04.2022, seeking for return of 150 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 (CS I)

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/ /2022

Sub Assistant Registrar(CS)

MR

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-20699[F] dated 22/04/2022)

+1 CC to M/s.SPL.GP (SR-21028[F] dated 25/04/2022)

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