



WEB COPY



W.P.No.19783 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19783 of 2018 and
W.M.P.Nos.23222 and 23223 of 2018

K.Priya

...Petitioner

Vs

1. The Deputy Superintendent of Police,
Vedaranyam, Nagapattinam District.

2. The Inspector of Police,
Kariyapattinam Police Station,
Nagapattinam.

3. The Block Development Officer,
Chettipulam Panchayat,
Vedaranyam Taluk, Nagapattinam District.

...Respondents

PRAYER: Petition filed Under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent in Na.Ka.No.02/2018/KaAa/E2/KA.Ne, dated 14.07.2018 and to quash the same as arbitrary, illegal, unjust, and consequently restrain the respondents or any of its subordinates, agents or any other persons claiming under respondents from any way interfering with the peaceful business activity of the petitioner.



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W.P.No.19783 of 2018

For Petitioner : Mr.Suhrith Parthasarathy

For Respondents : Mr.R.Murthi
Government Advocate (Crl Side)

Mr.J.Ramesh
AGP, for R3

ORDER

This petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to quash the impugned order passed by the second respondent in Na.Ka.No.02/2018/KaAa/E2/KA.Ne, dated 14.07.2018 and consequently to restrain the respondents or any of its subordinates, agents or any other persons claiming under respondents from any way interfering with the peaceful business activity of the petitioner.

2. When the matter is taken up for hearing learned counsel for the petitioner submitted that though the 2nd respondent / Inspector of Police, vide impugned order dated 14.07.2018, directed the petitioner to stop/ not to proceed with the opening of the godown for storing the LPG gases, however, it is pertinent to note that, the petitioner is running the said godown for more than three years, without causing any law and order problem. Hence, the order of the 2nd respondent dated 14.07.2018 has



W.P.No.19783 of 2018

become infructuous and accordingly prayed appropriate orders.

WEB COPY

3. Recording the submission made by the learned counsel appearing for the petitioner that the godown for storing LPG gases is being operated by the petitioner for more than three years, the impugned order dated 14.07.2018 issued by the second respondent to shut down the said godown has become infructuous and nothing survives for further adjudication in the present writ petition. However, liberty is granted to the respondents to initiate fresh action against the petitioner, if any of the act of petitioner causes harm to the society and general public.

4. Accordingly, this writ petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

13.03.2023

Index : Yes / No

Speaking/Non-speaking order : Yes / No

(rap)



WEB COPY



W.P.No.19783 of 2018

M.DHANDAPANI, J.

(rap)

To

1. The Deputy Superintendent of Police,
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2. The Inspector of Police,
Kariyapattinam Police Station,
Nagapattinam.
3. The Block Development Officer,
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W.P.No.19783 of 2018

13.03.2023