



WEB COPY



W.P.No.24014 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.08.2023

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.24014 of 2023

K.Moorthy

.. Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

3.The Inspector of Police,
District Crime Branch,
Thiruvannamalai.

4.The Inspector of Police,
Economic Offences Wing,
Thiruvannamalai.

5.The Tahsildar,
Arani Taluk,
Thiruvannamalai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to de-seal and unfreeze the aforesaid petitioner's house at E.B.Nagar, Sevuyur



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Village, Arani Taluk, Thiruvannamalai District bearing Patta No.8676, Old Survey No.325/1, New Survey No.325/1AA, A1 as per New Patta Survey No.325/32 within stipulated period fixed by this Court.

For Petitioner : Mr.D.Chandrakanth

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the respondent Police to de-seal the property belonging to the petitioner by acting upon the representation / complaint given by the petitioner on 14.02.2023.

2. Learned Additional Public Prosecutor, on instructions, submitted that the property was locked and sealed in the course of investigation in Crime No.11 of 2022 by the third respondent and the keys were also handed over to the learned Judicial Magistrate No.I, Thiruvannamalai. To substantiate the same, Mahazar was also produced before this Court in which the keys that were handed over to the learned Judicial Magistrate is found at Serial No.26. Learned Additional Public Prosecutor further submitted that the investigation was thereafter



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transferred to the file of Economic Offences Wing, viz., fourth respondent and it is pending investigation in Crime No.1 of 2023.

3. In view of the specific stand taken by the respondents, liberty is given to the petitioner to move an application before the learned Judicial Magistrate No.I, Thiruvannamalai seeking for return of the keys pertaining to the subject property and the said application shall be entertained by the learned Judicial Magistrate No.I, Thiruvannamalai and orders shall be passed strictly in accordance with law within a period of two weeks from the date of filing of the application by the petitioner.

4. This Writ Petition is disposed of with the above directions. No costs.

16.08.2023

Index :Yes/No
Internet:Yes/No
Speaking/Non speaking order
rsi

N. ANAND VENKATESH, J.



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rsi

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To

- 1.The District Collector,
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Thiruvannamalai.
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Thiruvannamalai.
- 3.The Inspector of Police,
District Crime Branch,
Thiruvannamalai.
- 4.The Inspector of Police,
Economic Offences Wing,
Thiruvannamalai.
- 5.The Tahsildar,
Arani Taluk,
Thiruvannamalai District.
- 6.The Judicial Magistrate No.I,
Thiruvannamalai.

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