

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.03.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD).No.3516 of 2023**  
**and WMP(MD)No.4346 of 2023**

Meenakshi

... Petitioner

Vs

1. The Joint Director of Medical and Rural Health,  
Service and Family Welfare,  
Kumbakonam, Thanjavur District.
2. The Senior Civil Surgeon,  
Pattukottai Medical Hospital, Thanjavur District.
3. The Village Administrative Officer,  
Uranipuram Village,  
Orathanadu Taluk, Thanjavur District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to break open the lock and seal put up by the respondents in the petitioners property in Survey No. 183/17 in Uranipuram Village, Orathanadu Taluk, Thanjavur District on the basis of petitioners representation dated 03.02.2023 and to pass such further or other orders as this Honble Court may deem fit and

proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.N.Balasubramanian

For R1 to R3 : Mr.N.Muthu Vijayan  
Special Government Pleader

### **ORDER**

The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the respondents, particularly to the third respondent/Village Administrative Officer, Uranipuram Village, Orathanadu Taluk, Thanjavur District to break open the lock and seal put up by the first and second respondents in the ground floor of the petitioner's property at Survey No. 183/17 in Uranipuram Village, Orathanadu Taluk, Thanjavur District. The petitioner had given a representation on 03.02.2023.

2.The petitioner is a senior citizen, aged about 82 years. She has come to this Court. She inducted one person namely, Nesamani, who claimed to be a Siddha Doctor. In fact, he was not a Siddha Doctor and was practising Allopathy medicine, without having any degree. The first and second respondents had filed a complaint and an FIR has been registered against the said Nesamani. Thereafter, the Police had also locked the premises of the petitioner. Therefore, the petitioner has filed this petition, seeking to break

open the lock and seal.

3.My predecessor had directed that the tenant should be impleaded as party. Therefore, the learned counsel for the petitioner has filed a petition in WMP(MD)No.4346 of 2023, to implead the tenant/Nesamani. But in view of the nature of the order passed, the tenant is not a necessary party in the petition. Therefore, WMP(MD)No.4346 of 2023 is dismissed.

4.Heard, Mr.N.Muthu Vijayan, learned Special Government Pleader, who appeared on behalf of the respondents.

5.A direction is given to the petitioner to give an undertaking before the third respondent that she will not induct the said tenant/Nesamani or any other person, claiming to practice as a Siddha Doctor as a tenant. On receipt of such undertaking, the third respondent/Village Administrative Officer, Uranipuram Village, Orathanadu Taluk, Thanjavur District is directed to break open the seal, in the presence of the second respondent. The second respondent/Senior Civil Surgeon, Pattukottai Medical Hospital, Thanjavur District, is directed to take an inventory of available articles and keep it in

safe custody with the Investigating Officer, who registered the FIR, who shall in turn, forward the same to the jurisdictional Magistrate. The said exercise of breaking the lock and seal, taking an inventory, handing over the same to the Investigation Officer and also handing over the possession of premises to the petitioner is to be completed within a period of six weeks, from the date on receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

**28.03.2023**

NCS : Yes/No  
Index : Yes / No  
Internet: Yes/ No  
PNM

To

1. The Joint Director of Medical and Rural Health,  
Service and Family Welfare,  
Kumbakonam, Thanjavur District.
2. The Senior Civil Surgeon,  
Pattukottai Medical Hospital, Thanjavur District.
3. The Village Administrative Officer,  
Uranipuram Village,  
Orathanadu Taluk, Thanjavur District.

**C.V.KARTHIKEYAN, J.**

PNM

ORDER IN  
**W.P(MD).No.3516 of 2023**  
**and WMP(MD)No.4346 of 2023**

**28.03.2023**