



W.P.(MD)Nos.9333, 9336, 9338 and 9341 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.10.2023

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)Nos.9333, 9336, 9338 and 9341 of 2021

and

W.M.P.(MD)No.7118 of 2021 in W.P.(MD)No.9336 of 2021

R.Pandiammal	.. Petitioner in W.P.(MD)No.9333/2021
M.Rajeshwari	.. Petitioner in W.P.(MD)No.9336/2021
P.Oviyakala	.. Petitioner in W.P.(MD)No.9338/2021
M.Paulpandi	.. Petitioner in W.P.(MD)No.9341/2021

Versus

- 1.The District Collector,
Madurai District, Madurai.
 - 2.The Commissioner,
Marketing Committee, Chennai.
 - 3.The Commissioner,
Madurai Corporation, Arignar Anna Maligai,
Madurai - 625 002.
 - 4.The Secretary,
Marketing Committee,
145-A, Anna Nagar,
Madurai - 625 020.
- .. Respondents in all the W.Ps.

Prayer in W.P.(MD)No.9333 of 2021:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus,



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directing the first respondent to remove the seal on the petitioner's shop No.J 266 and permit the petitioner to continue to do her business on the basis of her representation dated 30.04.2021.

Prayer in W.P.(MD)No.9336 of 2021:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to remove the seal on the petitioner's shop No.313 and permit the petitioner to continue to do her business on the basis of her representation dated 30.04.2021.

Prayer in W.P.(MD)No.9338 of 2021:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to remove the seal on the petitioner's shop No.312 and permit the petitioner to continue to do her business on the basis of her representation dated 30.04.2021.

Prayer in W.P.(MD)No.9341 of 2021:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to remove the seal on the petitioner's shop No.289 and permit the petitioner to continue to do his business on the basis of his representation dated 30.04.2021.

For Petitioner in all the W.Ps. : Mr.Babu Rajendran

For R1 in all the W.Ps. : Mr.B.Saravanan
Additional Government Pleader



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For R3 in all the W.Ps. : Mr.K.K.Kannan
Standing Counsel

For R4 in all the W.Ps. : Mr.J.Gunaseelan Muthiah

COMMON ORDER

These Writ Petitions were filed for directing the first respondent to remove the seal from the shops that were purchased by the petitioners in order to enable them to do their business.

2. During the pendency of these Writ Petitions, the seal was removed and thereby, the petitioners are now utilizing the shops and are continuing to do their business.

3. This Court had an occasion to deal with the issue as to whether the Marketing Committee has the power to lock and seal the premises, which is otherwise in the lawful occupation of the persons, who are doing the business in those shops. The Full Bench of this Court in **W.A.Nos.2295 to 2308 of 2018 etc. batch, dated 19.01.2021** [S.Sasikumar vs. Government of Tamil Nadu and others] held that only the local authority is authorised to lock and seal the premises whenever



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there is a contravention and the Marketing Committee does not have any such power.

4. In view of the above, the grievance expressed by the petitioners has already been redressed and they are now continuing to do their business. No further orders are required to be passed in these Writ Petitions. Accordingly, these Writ Petitions are hereby disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
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To

17.10.2023

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N.ANAND VENKATESH, J.

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Common order in
W.P.(MD) Nos.9333, 9336, 9338 and 9341 of 2021
and
W.M.P.(MD)No.7118 of 2021

17.10.2023