



W.P(MD)No.26736 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26736 of 2023

Thirupathi

... Petitioner

Vs.

1.The Tahsildar,
Sivakasi Taluk,
Virudhunagar.

2.The Special Tahsildar,
Matchbox Inspection,
Sivakasi Taluk,
Virudhunagar District.

3.The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi Taluk,
Virudhunagar 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 1 and 2 to remove the seal and unlock the petitioner's Cracker Shop, namely, “Sreedevi Fancy Crackers Agency” at Deivanai



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Nagar, Sivakasi, Virudhunagar District and permit the petitioner to get the goods inside the premises in accordance with law, by considering the petitioner's representation dated 03.11.2023.

For Petitioner : Mr.A.Manikandan

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 & R.2

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.3

ORDER

Heard both sides.

2.The petitioner is a trader. He had stored the fire crackers in an unlicensed place. Hence Crime No.386 of 2023 was registered on the file of the third respondent. The premises have also been sealed. Seeking relief, the present writ petition came to be filed.

3.I make it clear that the petitioner has to necessarily face criminal prosecution for the act committed by him. The petitioner is also



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restrained from using the sealed premises for storing fire crackers unless he obtains proper license in future.

4.The petitioner through his counsel gives an undertaking that he will adhere to the restraint order passed by this Court.

5.I direct the respondents to de-seal the premises in question. The petitioner will have to remove the goods to a licensed place and also dispose them of. The respondents shall prepare mahazar containing inventory and affix the signature in all the relevant forms. The petitioner gives an undertaking that he will remit a sum of Rs.5,000/- (Rupees Five Thousand only) for the welfare of Government Children Home (Government Orphanage), Dr.Thangaraj Colony, K.K.Nagar, Madurai-625020 [Account No: 37487255860, IFSC: SBIN0007922]. Upon furnishing the proof of remittance in favour of the said home, the respondents shall unseal the premises.



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6.This writ petition is allowed on these terms. No costs.

07.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

NOTE : Issue Order Copy on 07.11.2023.

To

- 1.The Tahsildar, Sivakasi Taluk, Virudhunagar.
- 2.The Special Tahsildar, Matchbox Inspection,
Sivakasi Taluk, Virudhunagar District.
- 3.The Inspector of Police, Sivakasi Town Police Station,
Sivakasi Taluk, Virudhunagar District.
- 4.Government Children Home (Government Orphanage),
Dr.Thangaraj Colony, K.K.Nagar, Madurai-625020.



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G.R.SWAMINATHAN, J.

MGA

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