



W.P.No.7757 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 18.01.2024

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.7757 of 2020
and W.M.P.Nos.9123, 9553 of 2020

M/s.Unicast Alloys Private Limited
Represented by its Director
Mr.V.Sivakumar,
Having Unit at Pothanur Paaraimeedu,
Kurumpampalayam Village,
Pollachi - 642 002.

... Petitioner

-VS-

1.The District Collector,
District Collector Office,
Coimbatore.

2.The Deputy Commissioner of Excise,
District Collector Office,
Coimbatore.

3.The Divisional Excise Officer (Tahsildar),
Pollachi, Coimbatore District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents to de-seal the petitioner company situated at Pothanur Parraimedu, Kurumpampalayam Village, Pollachi - 642 002, which was sealed on 15.05.2020 by the third respondent.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.D.Ravichander, Spl. G.P

ORDER

The petitioner seeks a direction to de-seal the premises described in the cause title of the writ petition.

2. The petitioner is engaged in the business at manufacturing



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SG-Ductile and Grey Iron Casting. The petitioner asserts that such business was undertaken after obtaining necessary consent to establish and consent to operate from the Tamil Nadu Pollution Control Board and other requisite permissions from statutory authorities. For purposes of its business, the petitioner had purchased solvent chemicals from M/s.K.S.M Solvents and Chemicals and was using the same. During the Covid-19 pandemic period, two contractors, who were undertaking work at the factory of the petitioner, consumed solvent chemicals and subsequently passed away. In those circumstances, the third respondent inspected the factory premises without prior notice and sealed the premises. The writ petition was filed in the said facts and circumstances.

3. By a detailed interim order dated 05.06.2020, it was directed that the solvent chemicals be identified and placed under lock and key in the custody of the third respondent. Subject to such condition, the premises were directed to be unsealed and the petitioner



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resumed operations. Learned counsel for the petitioner submits that the petitioner has ceased using such solvent chemicals for its manufacturing activity and has instead adopted alternative technology. Therefore, it is stated that the solvent chemicals placed under lock and key are not required for its business.

4. Mr.D.Ravichander, learned Special Government Pleader, submits that the third respondent may be directed to remove the solvent chemicals and dispose of the same in accordance with applicable law.

5. In view of the above developments, it is unnecessary to adjudicate the petition on merits. Instead, W.P.No.7757 of 2020 is disposed of by directing the third respondent to remove the entire stock of solvent chemicals, which was placed under lock and key pursuant to order dated 05.06.2020. Upon removal from the petitioner's premises, the said stock of solvent chemicals shall be



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disposed of in accordance with applicable law. There shall be no

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order as to costs. Consequently, W.M.P.Nos.9123, 9553 of 2020 are closed.

18.01.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

To

- 1.The District Collector,
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SENTHILKUMAR RAMAMOORTHY,J

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