



W.P.No.25912 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.25912 of 2024
& W.M.P.No.28281 of 2024

1. D.S.Subhashini alias G.Prasanthi
2. V.Suroopa,
3. R.Sumalatha,
4. P.Prameela,

... Petitioners

/versus/

1. The District Collector,
Chennai District, Rajaji Salai,
4th Floor, 62, Beach Road,
George Town, Chennai-600001

2. The District Revenue Officer,
Rajaji Salai, Beach Road,
Chennai-600001

3. The Revenue Divisional Officer,
North Chennai,
Mahalakshmi Nagai,
Puzhal, Chennai-600060

4. The Commissioner of Police,
Greater Chennai Police,
No. 132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai-600007.



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5. The Inspector of Police,
Central Crime Branch,
No. 132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai-600007.

6. The Inspector of Police,
K-1, Police Station, Sembiam,
Chennai-600011.

7. Mr.Govind Ram Kumawat ... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue Writ of Mandamus directing the respondents 4 & 5 de-seal the portion of the premises at No.20/41, Thanthonri Amman Street, Peravallur, Agaram, Chennai-600082 which was under the occupation of the 7th respondent, and make inventories of the articles thereof and remove it to safe custody, and permit the petitioners to take possession of that portion of the said premises.

For Petitioner : Mr.P.Mohanraj

For R1 to R6 : Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed seeking mandamus directing the respondent to de-seal the portion of the premises owned by the petitioner which was let out to the absconding accused in C.C.No.98 of 2023.



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2. The affidavit filed in support of the petitioner reveals that the petitioner is the owner of the building bearing No.20/41, Thanthonri Amman Street, Peravallur, Agaram, Chennai-600082 and portion of it was let out to one Govind Ram Kumawat in the year 2015 and he was running a jewellery shop in the name and style of Dhanalakshmi jewels. The said Govind Ram Kumawat after default in payment of rent, had closed the premises and absconded. Meanwhile, the petitioner came to know that case been registered by the respondent police against the said Govind Ram Kumawat for cheating the public and therefore, the police had sealed the premises. Till date, the petitioner is deprived of rent as well as the possession of the premises.

3. The Learned Government Advocate (Crl.Side) for the respondent states that the sealed premises of the petitioner was opened yesterday and inventory taken along with search report, the key of the premises been handed over to the Metropolitan Magistrate exclusively for cases investigated by CCB, Chennai.

4. In the light of the above fact, it is appropriate to dispose of the Writ Petition with the following direction:



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The petitioner herein shall file application before the Metropolitan Magistrate Court for CCB cases at Chennai for return of key of the premises with an undertaking that he will produce the key of the premises if necessary in future for the purpose of trial. On such application, the Metropolitan Magistrate, shall hand over the key after taking necessary undertaking from the petitioner.

5. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

19.10.2024

Index : Yes/No

Neutral Citation : Yes/No

bsm

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4. The Commissioner of Police,
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K-1, Police Station, Sembiam,
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7. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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