



WEB COPY



W.P.No.32517 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.32517 of 2024

S.Jayakumar

... Petitioner

-Vs-

1. The President,
S.Periyapalayam Village Panchayat,
S.Periyapalayam,
Tiruppur Taluk and District.
2. S.Periyapalayam Common
Effluent Treatment Plant Private Limited,
S.F.No.224/2, A.Periyapalayam,
Uthukuli Road, Tiruppur – 7.

3. A.Jaya

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to remove the lock affixed by him in the petitioner's dyeing unit viz., M/s.Sri Jayam Dyeing at S.F.No.240/2, S.Periyapalayam, Uthukuli Road, Tiruppur.

For Petitioner

: M/s R.Hemalatha

For R1

: Dr.S.Suriya

Additional Government Pleader

ORDER



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This writ petition has been filed for direction directing the first respondent to remove the lock affixed by him in the petitioner's dyeing unit viz., M/s.Sri Jayam Dyeing at S.F.No.240/2, S.Periyapalayam, Uthukuli Road, Tiruppur.

2. Heard both sides and perused the materials available on record.

3. The petitioner and five others are partners and started a dyeing unit the name and style of Neo Tech Process House, in the year 2009. The third respondent is also one of the partner. While being so, in the year 2017, the name of the unit was registered as M/s.Sri Jayam Dyeing. Subsequently, other partners relieved from the partnership firm and thereafter, included the petitioner's wife and running the unit. In this regard, there is a dispute between the first petitioner and the third respondent. The respondents 2 and 3 are the former partners of the petitioner's unit. All of a sudden, the first respondent came to the unit and threatened not to open the unit and subsequently, they had put up a lock and seal of the petitioner's unit.

4. On instructions, the learned counsel for the first respondent submitted that the first respondent never visited the petitioner unit and he



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had never put up any lock and seal to the petitioner's unit.

5. It is seen that there is a dispute between the petitioner and the respondents 2 and 3. Therefore, the first respondent has no role to play in their civil dispute.

6. In view of the above, the petitioner is at liberty to operate the unit and the first respondent is directed not to disturb the peaceful possession and operation of the unit without due process of law.

7. With the above directions, this writ petition is disposed of.
There shall be no order as to costs.

30.10.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
mn

G.K.ILANTHIRAIYAN. J.

mn



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To
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