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W.P. No. 35352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 35352 of 2023

C.S.Balaram

... Petitioner

-VS-

1. Assistant Commissioner of HR & CE,
Padi,
Chennai – 600 050.
2. The Executive Officer,
Arulmighu Agatheeswarar Swamy Thirukoil,
Villivakkam,
Chennai – 600 049.

3. K.Sanjeevi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to unlock the seal for 12 hour in the Petitioner's Photo Framing Shop an extent of 90 sq. ft. situated at No. 20, West Mada Street, Sivan Koil Villivakkam, Chennai – 600 049 comprised in S. No. 11A/7B for removing Petitioner materials.

For Petitioner : Mr. V.Venkatesan

For Respondents : Mr. K.Karthikeyan,
Government Advocate (for R1 & R2)



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ORDER

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Heard Mr. V.Venkatesan, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third Respondent, notice to him is dispensed with.

3. The Writ Petition has been filed for directing the Second Respondent to unlock the seal for 12 hour of the shop leased to the Petitioner in Door No. 20, West Mada Street, Sivan Koil Villivakkam, Chennai for removing the materials.

4. It is informed that in furtherance to the order passed by this Court on 05.01.2024, the Petitioner removed all his materials from the premises and he has made an endorsement to that effect in the court record.



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5. It is represented by Learned Government Advocate appearing for the First and Second Respondents that after the Petitioner has removed his materials, the premises has been re-sealed. In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any grievance to be redressed in the matter, he is not precluded from working out his remedies before the proper forum in the manner recognized by law. However, it is made clear that the First and Second Respondents are not precluded from taking any further action in accordance with law.

In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

10.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.04.2024.

gsa

To

1. Assistant Commissioner of HR & CE,
Padi,
Chennai – 600 050.
2. The Executive Officer,
Arulmighu Agatheeswarar Swamy Thirukoil,
Villivakkam,



Chennai – 600 049.

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P.D. AUDIKESAVALU, J.

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10.01.2024