



W.P(MD)No.7331 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7331 of 2024

and

W.M.P.(MD)Nos.6745 and 6747 of 2024

Vadivu

... Petitioner

Vs.

The Executive Officer,
I Grade Town Panchayat,
Alwarkurichi – 662 412,
Tenkasi District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings in Na.Ka.No.53/2024, dated 15.03.2024 and quash the same as illegal and consequent direction may be issued to the respondent to de-seal the premises of Karuna Acqua Products in their Chettikulam Melur, Alwarkurichi Town Panchayat, Tenkasi District within stipulated time.

For Petitioner : Mr.T.Augustine Ebenezer

For Respondent : Mr.R.Ragavendran,
Government Advocate.



W.P(MD)No.7331 of 2024

ORDER

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Heard both sides.

The petitioner complains that the respondent has unlawfully sealed the premises that is spread over one acre. It is seen that the one acre of land comprises a water plant and also agricultural field. The water plant admittedly does not have license or NOC from the competent authority. The petitioner is therefore restrained from operating the water plant till NOC / license is obtained from the competent authority. Since the premise is spread over one acre, the entire premises need not be sealed. The respondent is directed to unseal and confine the sealing to the water plant alone. As and when the petitioner gets NOC, the water plant can be desealed. The learned counsel for the petitioner states that he wants to dismantle and sell the same to third party. As rightly pointed out by the learned Government Advocate, such a course of action can definitely be permitted provided the purchaser is having NOC from the competent authority. If the purchaser produces any such NOC / permission, the petitioner can be permitted to dismantle the machinery and sell the same.



W.P(MD)No.7331 of 2024

3.This writ petition is disposed of on these terms. No costs.

Consequently, connected miscellaneous petitions are closed.

25.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Executive Officer,
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W.P(MD)No.7331 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.7331 of 2024

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