



W.P(MD)No.15019 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.15019 of 2018 and
WMP(MD) No.13557 of 2018

Dr.Thangaraj

... Petitioner

Vs

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Nanguneri,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to remove the Lock and Seal by reopening the ground floor of premises at No.31, Mohideen Aandavar Street, Moolakaraipatti, Tirunelveli 627 354 to enable the petitioner for



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reopening of Makkal Nalam Hospital Clinic at the said place based
the representation dated 27.06.2018.

For Petitioner : Mr.Alaguram Jothi
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This writ petition was filed for a Mandamus directing the respondents to remove the lock and seal of the premises at No. 31, Mohideen Aandavar Street, Moolakaraipatti, Tirunelveli.

2.The petitioner claims that he was running a Hospital by name Makkal Nala Hospital in the subject premises and it was locked and sealed by the respondents without proper notice on the allegation that one Usharani, who had taken treatment in Makkal Nala Hospital, died due to wrong diagnosis.

3.The learned Government Advocate appearing for the respondents by referring to the written instructions provided to him



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by the Tahsildar, Nanguneri in Na.Ka.A8/5017/2017 dated 15.12.2023 submits that pursuant to the order passed by this Court in W.P.(MD)No.22180 of 2021 dated 14.02.2023, the lock and seal of the subject premises was removed on 14.03.2023 and the possession of the same was entrusted to the City Union Bank, as the petitioner obtained loan from the Bank and failed to repay the same. In the said proceedings, the Tahsildar has also referred to yet another order of this Court in writ petition in W.P.(MD)No.16157 of 2017 and W.M.P.(MD)No.12831 of 2017 dated 02.11.2017 and the relevant portion is extracted as under:

“7.Under such circumstances, the respondents are directed to unlock the first and second floors of the premises, enabling the petitioner and his family to use the same for residential purpose alone. The petitioner as well as anyone claiming right over the clinic being run in the ground floor in the name and style of Makkal Nalam Hospital or any other name shall not be permitted to run the Clinic in the said premises. The respondents are left open to proceed against the petitioner in accordance with law and till then, the entire ground floor shall be kept under lock and seal.”



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4.Recording the submission made by the learned Additional Government Pleader, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

04.01.2024

NCC: Yes/No

Index:Yes/No

Internet:Yes

vrn

To

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Sub Collector,
Cheranmahadevi,
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3.The Tahsildar,
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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.15019 of 2018 and
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