



W.P.No.38509 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2025

CORAM:

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

W.P.No.38509 of 2024

1.D.Gopalakrishnan
2.G.Ashok

...Petitioners

Versus

1.State Rep By
Deputy Superintendent of Police ,
Economic Offence Wing,
Chennai- 83.

2.M/S.Mylapore Hindu Permanent Nidhi Ltd
Rep By its Secretary Mr.K.Ravichandran
No.24, Old No. 32, South Mada Street,
Mylapore,
Chennai-04.

3.Prasanth

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent police to de-seal the premises and hand over the possession of the premises situated at No.24/41 ground floor, Jayaram Street, West Saidapet, Chennai- 600 015 to the petitioners.



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For Petitioners : Mr.R.Amizhdhu

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed for a direction, directing the respondents to de-seal the premises and hand over the possession of the premises situated at No.24/41, Ground Floor, Jayaram Street, West Saidapet, Chennai.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner owned property situated at No.24/41, Ground Floor, Jayaram Street, West Saidapet, Chennai. The said property was rented out to the second respondent, who was running a finance business on a monthly rent basis. While being so, the second respondent involved in a criminal case for cheating the general public by collecting huge money. Therefore, the third respondent lodged a complaint and the first



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respondent registered an FIR in Crime No.14 of 2024 for the offences under Sections 409, 420, 34 of IPC and Section 22 of BUDS Act r/w Section 5 of TNPID Act as against the second respondent and four others. Pursuant to the registration of the FIR, The premises, where the second respondent was running the office, were seized by the first respondent. After sealing the premises, all the records were seized and now the vacant premises remain under lock and seal. That apart, the investigation has also been completed and the final report was filed in Crime No.14 of 2024 and the same has been taken cognizance by the Special Court under TNPID Act, Chennai in C.C.No.1 of 2025 and it is pending for trial.

4. Admittedly, the premises owned by the petitioner and the same was rented out to the second respondent. Now, it is lying vacant and under the lock and seal by the second respondent. Mere keeping the premises under lock and seal would not serve any purpose, since it is only a rental building.



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5. In view of the above, the second respondent is directed to de-seal the premises situated at No.24/41, Ground Floor, Jayaram Street, West Saidapet, Chennai and hand over the premises to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands allowed. Consequently, connected miscellaneous petition is closed. No costs.

04.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1.The Deputy Superintendent of Police ,
Economic Offence Wing,
Chennai- 83.

2.The Public Prosecutor,
High Court of Madras,
Chennai



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G.K.ILANTHIRAIYAN, J.

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