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W.P.No.39036 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.39036 of 2024
and W.M.P.No.42278 of 2024

J.Karthiga

.. Petitioner

Versus

The Tahsildar,
Solinghur Tahsildar Office,
Solinghur Taluk,
Ranipet District.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus call for the records of the order of the respondent in Na.Ka.A:1/3182/2024, dated 09.12.2024 and quash the same and consequently, direct the respondent to remove seal of the shop situated at Door No.263, Bazar Street, Solinghur.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.R.Murthi,
Government Advocate



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ORDER

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This Writ Petition is filed for a Certiorarified Mandamus to call for the records on the file of the respondent, dated 09.12.2024 and to consequently, direct the respondent to remove the seal of the shop situated at D.No.263, Bazar street, Solinghur.

2. The brief factual background, in which the Writ Petition arises, is that the petitioner was given a license to run an e-seva centre. It is alleged that the petitioner, taking undue advantage of the license given to her, started collecting bribe amounts from general public promising to do certain things for them. It was also found that amounts were transferred by way of Google Pay to the bank account of the petitioner. Therefore, immediately, steps were taken to seal the shop and a complaint was also forwarded to the Investigating Agency and a case was also registered in Crime No.318 of 2024 on the file of the Solinghur Police Station and it is also stated that the petitioner was subsequently arrested. It is also further stated that the license



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to run e-seva centre was cancelled. In view thereof, the prayer of the petitioner is to quash the order, dated 09.12.2024.

3. When the allegation against the petitioner is that she took amounts from the general public, upon receipt of the complaint, no exception whatsoever can be taken to the action of the respondent in sealing the shop. The evidence has to be secured. The hard disks, if any, in the e-seva centre, have to be checked. The Investigating Authorities are entitled to thoroughly investigate the shop. Such other material may be there inside the shop which may need to be recovered. Therefore, the impugned order cannot be found fault with.

4. When it is the case of the respondent that the license itself was cancelled, it is clear that the petitioner can no longer run e-seva centre. However, the petitioner can use her shop for conducting some other business. Therefore, the shop cannot be sealed forever.



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5. In that view of the matter, this Writ Petition is disposed of on the following terms:-

(i) The respondent shall also intimate about the sealing of the shop to the Investigating Officer namely, the Inspector of Police, Solinghur Police Station, who is investigating the criminal case;

(ii) The Investigating Authority shall take a call in accordance in accordance with Bharatiya Nagarik Suraksha Sanhita, 2023 and collect the relevant evidence that may be there inside the shop and once the purpose of the Investigating Authority is over, the respondent shall pass appropriate orders removing the seal and handing over the possession to the petitioner;

(iii) The said exercise shall be carried out as expeditiously as possible, in any event, not later than 12 weeks from the date of receipt/production of a web-copy of this order;

(iv) If any application has to be filed before the appropriate Magistrate, the same shall also be taken in the manner known to law;



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(v) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.02.2025

Neutral Citation : no
grs

To

1. The Tahsildar,
Solinghur Tahsildar Office,
Solinghur Taluk,
Ranipet District.
2. The Inspector of Police,
Solinghur Police Station.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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