



W.M.P.(MD) No.4759 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINRAYANAN
W.M.P.(MD) No.4759 of 2025
in W.P.(MD) No.3247 of 2025

Syed Mohammed

... Petitioner

-VS-

The District Collector,
Collectorate Office,
Tirunelveli District & 3 Others.

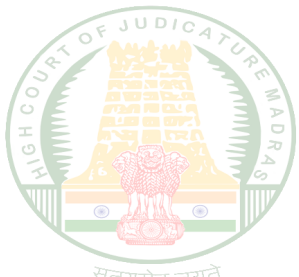
... Respondents

For Petitioner	:	Mr.R.Mathava Selvam
For Respondents 1 & 3	:	Mr.G.Suriyananth, Addl. Govt. Pleader.
For Respondent 4	:	Mr.M.Karunanidhi, Govt. Advocate (Crl.Side)

ORDER

Petitioner seeks for a mandamus, directing the first respondent to consider the representation of the petitioner and release the lock and seal for the shop of the petitioner at Melapalayam, Palayamkottai Taluk, Tirunelveli District.

2. Petitioner is the owner of the premises situated at Door No.104A, MAS

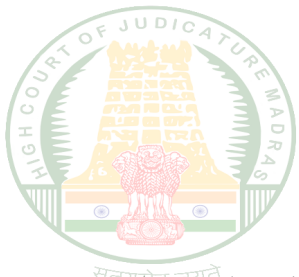


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Complex, Netaji Road, Melapalayam, Tirunelveli District. He had entered into a lease agreement with the second respondent. The purpose of lease was to enable the second respondent to run an office for an organisation under name and style "Popular Front of India".

3. The Government of India took a decision, prohibiting the organisation and all its allied and ancillary units. The said order was re-published by the State of Tamil Nadu. Consequently, the respondents 1,3 and 4 sealed the premises of the writ petitioner.

4. When the Writ Petition came up for admission, learned counsel for the petitioner pleaded that the petitioner has nothing to do with the banned organisations and he had merely let out the premises to the second respondent in order to run an office. Being a nationally sensitive matter, I asked Mr.G.Suriyananth and Mr.K.Gnanasekaran to get instructions from Respondents 1,3 and 4 as to whether the petitioner had any connection with the banned organisation or its other bodies. On the next day of hearing, Mr.Suriyananth and Mr.Karunanidhi, who is now representing the fourth respondent, informed this Court that the writ petitioner had nothing to do with the banned organisation or its associates bodies. However, they pointed out that the material belonging to the banned organisation were available inside the premises, which was under lock and seal. They further pleaded that unless



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and until a direction was given by this Court, the respondents 1,3 and 4 would not be in a position to de-seal the premises and take possession of the articles, which belonged to the banned organisation. Though an order of the court was not required for de-sealing because sealing itself was pursuant to an order passed by the first respondent, since the respondents require an order to that effect, the petitioner undertook to file an application for de-sealing. Accordingly, this Writ Miscellaneous Petition has come up for hearing before this Court.

5. I have heard Mr.R.Mathava Selvam, learned counsel for the petitioner; Mr.G.Suriyananth, learned Additional Government Pleader, for respondents 1 and 3; and Mr.M.Karunanidhi, Government Advocate (Criminal Side), for respondent No.4.

6. Since the respondents 1,3 and 4 state that the petitioner has nothing to do with the banned organisation and also plead that materials belonging to the banned organisation are available within the premises, which was taken on lease, there shall be a direction to the first respondent to pass an order to de-seal the premises so as to enable the fourth respondent to take custody of the materials available inside the premises, which belong to the second respondent/organisation. After de-sealing and removal of articles, they shall lock the premises and submit a report to this Court, regarding the same.

7. Writ Miscellaneous Petition is ordered accordingly.



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8. Post the Writ Petition on 01.04.2025.

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DIXIT

TO

1 THE DISTRICT COLLECTOR
COLLECTORATE OFFICE,
TIRUNELVELI DISTRICT

2 THE TAHSILDAR
PALAYAMKOTTAI TALUK,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
MELAPPALAYAM POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.MATHAVA SELVAM, Advocate (SR-2644[I] dated 11/03/2025)



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ORDER

IN

WMP(MD) No.4759 of 2025
in W.P.(MD) No.3247 of 2025
Date :10/03/2025

SS/GSV/SAR- /17/03/2025/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023