



W.P(MD)No.23107 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.23107 of 2025
and W.M.P(MD).No.18169 of 2025

A.Kumar

.. Petitioner

Vs

1.The Commissioner,
Nagercoil Municipality,
Nagercoil, Kanyakumari District.

2.John Bosco

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to open the lock and seal put in the Hollow Block manufacturing machinery on 06.08.2025 without serving any order by the competent authority i.e., the first respondent herein.

(prayer is amended vide Court order dated WMP(MD).No.20396 of 2025 in W.P(MD).No.23107 of 2025 by PTAJ)

For Petitioner : Mr.K.P.Krishna Doss

For Respondents : Mr.F.Deepak
Standing Counsel (for R1)



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ORDER

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The petitioner seeks a mandamus to open the lock and seal put to his unit on 06.08.2025 without serving any order of the competent authority.

2. It is the grievance of the petitioner that for a show cause notice that has been issued on 07.04.2025, a detailed response has been made by him on 17.04.2025. Thereafter, there has been no notice from the respondents and without even passing any order on the show cause notice, the respondents have proceeded to straight away put a lock and seal in the property concerned.

3. The learned Standing Counsel appearing for the first respondent would submit that it was done on the basis of the order passed by the Pollution Control Board.

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

5. A perusal of the order pointed out by the learned Standing Counsel shows that it was passed as early as on 22.02.2024, whereas the lock and seal was effected nearly a year and half later. The petitioner has not been served



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with this report and therefore, he has not been in a position to rectify the defects noted therein. Therefore, the action of the respondents in locking and sealing the subject property is without jurisdiction and wholly arbitrary. Therefore, the respondents are directed to open the lock and seal. However, admittedly, the license issued to the petitioner has expired and he has yet to obtain its renewal. Therefore, he shall not operate the industry until such time as he secures the requisite license from the authorities concerned. Although it was orally represented that an application has been filed, no copy of the same has been produced. The petitioner is therefore directed to submit a fresh application, which shall be duly considered.

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

17.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

To

The Commissioner,

Nagercoil Municipality,

Nagercoil, Kanyakumari District.



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P.T.ASHA, J.

Rmk

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