



*W.P.Crl.(MD)No.7 of 2026*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Dated : 06.01.2026**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.Crl.(MD)No. 7 of 2026**

**and**

**W.M.P(MD)No. 3 of 2026**

Selvakumar

... Petitioner

Vs.

1. The Deputy Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.

2. The Inspector of Police,  
Sivakasi East Police Station,  
Virudhunagar District.

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents No.1 and 2 to remove the lock and seal of the premises of the petitioner the Aruna Lorry Service Transport Godown at Door No.3/1295/8C, Paraipatti, Viswanatham Panchayat, Sivakasi Taluk, Virudhunagar District in the GST Registration Certificate Number in 33CVMPS7682DIZ3 by considering the petitioner's representation dated 16.12.2025, within the time stipulated by this Court.

For Petitioner : Mr.E.Mareeskumar

For Respondents : Mr.A.S.Abul Kalaam Azad,  
Government Advocate (Criminal Side)



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## **ORDER**

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This Writ Petition has been filed for *Writ of Mandamus*, directing the respondents No.1 and 2 to remove the lock and seal of the premises of the petitioner the Aruna Lorry Service Transport Godown at Door No.3/1295/8C, Paraipatti, Viswanatham Panchayat, Sivakasi Taluk, Virudhunagar District in the GST Registration Certificate Number in 33CVMPS7682DIZ3 by considering the petitioner's representation dated 16.12.2025, within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl. Side) appearing for the respondent police and perused the materials available on record.

3. According to the petitioner, he is running the Transport in the name and style of The Aruna Lorry Service Transport in the above said address. They used to take parcels from the printing press and crackers industries to deliver the goods to their customers in their door step. In the above said circumstances, for the present Christmas and New year celebrations, the customers have booked their parcels in their transport and in order to deliver the cracker boxes, the petitioner used to keep the crackers in the transport office



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and after storing, they used to take for delivery. While so, the second respondent surprisingly visited the office premises on 13.12.2025, while the workers are loading the goods to send the parcels. All of a sudden, the second respondent stopped the work and obtained a criminal complaint and registered a case in Crime No. 716 of 2025 under Section 9 (B) 1 (b) of Explosive Act, 1984. Without giving any opportunity, the respondents locked the premises of the petitioner and more than 315 boxes of crackers were received and kept in the office. In order to transport the crackers, the petitioner need not get any license. However, without giving any opportunity, the respondents have sealed the premises. Therefore, they sent a representation dated 16.12.2025 and the same has not been considered. Hence, he filed this petition.

4. The Government Advocate (Civil Side) appearing for the respondents would submit that the petitioner without any license stored the crackers in the office and therefore, they seized the materials and locked the premises. In order to store the materials, the petitioner has to obtain license, but in this case, the petitioner has not obtained any license for storing the materials. Therefore, the petition is liable to be dismissed.



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5. It is an admitted fact that the petitioner used to take crackers in the transport to various places. While so, the petitioner had stored the materials in the office for the purpose of transportation. At that time, the respondents made a surprise visit and found the cracker boxes. According to the petitioner, those cracker boxes are kept for transport purpose and they have not stored the materials in the premises. Therefore, the respondents without any enquiry locked the premises.

6. The learned counsel for the petitioner also referred the judgment of this Court in K.Vasuki Vs. The Tahsildar and another (W.P.(MD) No.25604 of 2024 dated 25.10.2024). Wherein, this Court after referring the judgment of Manikandan Vs. Tahsildar and another in W.P.(MD) No.26100 of 2023 dated 30.10.2023 held that the act of respondent in locking and sealing the petitioner's premises cannot legally be sustained and directed the respondents to unlock and unseal the premises immediately. The decision of this Court in Manikandan Vs. Tahsildar and another in W.P. (MD) No.26100 of 2023 dated 30.10.2023 is extracted hereunder:

*“4. The petitioner is restrained from using the petition mentioned premises for keeping fire crackers without obtaining license. Since keeping the articles under official custody is not going to serve*



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*any purpose, the respondents are directed to return the seized materials to the petitioner after preparing proper magazar. I make it clear that the reliefs given to the petitioner are only de-sealing of the premises and handing over to the seized items after conducting proper inventory. The petitioner has to necessarily face criminal prosecution. After receiving the materials from the respondents, the petitioner can very well transport them to the customers. The petitioner will affix his signature on the required forms. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.”*

7. Therefore, this Court while passing orders in the similar kind of case observed that keeping articles under the official custody is not going to serve any purpose and the respondents are directed to return the seized materials from the petitioner after preparing proper magazar.

8. In view of the above said judgments of this Court, it is appropriate to direct the respondents to unlock and unseal the premises immediately and allow the petitioner to take the cracker boxes after conducting proper inventory and the petitioner can face the criminal prosecution. After receipt of the properties, the petitioner is at liberty to transport them to the customers.



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9. With the above said observations and directions, this writ petition is allowed. No costs. Consequently, connected Criminal Miscellaneous Petition is closed.

**06.01.2026**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes

KSA

**Note : Issue order copy on 08.01.2026**



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To

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1. The Deputy Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.
2. The Inspector of Police,  
Sivakasi East Police Station,  
Virudhunagar District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**S.SRIMATHY, J.**

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