

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.07.2015

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.19167 of 2015

K.Sathish

[Petitioner]

Vs

- 1 The Superintendent of Police
Kanchipuram Kanchipuram District
- 2 The Inspector of Police
Kanchi Taluk Police Station Kanchipuram
Kanchipuram District
- 3 The Chairman
Blue Cross of India Velacherry Check Post
Guindy Chennai 32

[Respondents]

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to release the Bulls seized on 14.4.2015 by the 2nd respondent to the petitioner

For Petitioner : Mr.K.G.Senthilkumar
For Respondents : Mr.A.Kumar, SGP (r1&2)

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents herein, to release the Bulls seized on 14.04.2015 by the 2nd respondent to the petitioner.

2. Mr.A.Kumar, learned Special Government Pleader takes notice for the respondents.

3. The petitioner is the owner of the Bullocks and Bullock Cart and the same are being used for agricultural purpose to eke out his livelihood. On 14.04.2015, the said Bullocks and Bullock Cart were used by the petitioner for plowing the land and when the petitioner was returning with his bullocks and bullock cart, the 2nd respondent intercepted and seized the bullocks and bullock cart on the allegation that the petitioner has stolen sand from Paalaaru. The 2nd respondent, after seizure of the same, handed over the bullocks to the Blue Cross of India, Guindy, Chennai, without any information. Thereafter, the petitioner made a representation to the 1st and 2nd respondents on 28.04.2015, which was acknowledged by them on 29.04.2015, However, nothing has happened so far. Hence, the present Writ Petition.

4. Considering the facts and circumstances of the case, this

Court is of the opinion that the petitioner, being the owner of the bulls and bullock carts, would be in a better position to take care of the well being of the bulls. It appears that the bulls, after being seized by the 2nd respondent, were handed over to the 3rd respondent and the petitioner has also made a representation in this regard on 28.04.2015 to the 1st and 2nd respondents. Hence, in the interest of all concerned, this Court is of the view that the petitioner is entitled to redeem his bullocks which were handed over to the 3rd respondent by the 2nd respondent for safe custody.

6. Accordingly, the Writ Petition is disposed of directing the 3rd respondent herein, namely, The Chairman, Blue Cross of India, 72, Velachery Check Post, Guindy, Chennai-32 to release the bulls of the petitioner forthwith on production of a copy of this Order. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1 The Superintendent of Police
Kanchipuram Kanchipuram District.
- 2 The Inspector of police
Kanchi Taluk Police Station Kanchipuram
Kanchipuram District.
- 3 The Chairman
Blue Cross of India Velacherry Check Post
Guindy Chennai-600 032.

1 cc to Mr.K.G.Senthilkumar, Advocate Sr.No.32390

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pmk.1.7.2015

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