

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.21989 OF 2015

T.Palani

.. Petitioner

Vs.

1. The District Collector,
Kancheepuram
Kancheepuram District.

2. The Revenue Divisional Officer
Madhuranthagam
Kancheepuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to release the Tipper Lorry bearing registration No.TN-21-AX-0896 which was seized by the Inspector of Police, Padalam on 03.07.2015 and thereby consider the representation, dated 04.07.2015.

For petitioner : Mr.G.Punniyakotti

For respondents : Mr.T.N.Rajagopalan, Spl.G.P.

सत्यमेव जयते
ORDER

The petitioner being the owner of the Tipper Lorry bearing Registration No.TN-21-AX-0896, was alleged to have transported one load sand without any valid bill or permission of the Government and the said lorry was seized by the Inspector of Police, Padalam. Subsequently, a case was registered under Section 21 of the Mines and Minerals Act and the vehicle was handed over to the second respondent-RDO. It is the case of the petitioner that he was no way connected with the occurrence and had not transported any sand for commercial purpose or committed any such offence. Even though the vehicle in question was seized on 03.07.2015, the same has not yet been handed over to the petitioner, nor the respondents have passed any orders imposing penalty. Subsequently, the petitioner made a

representation on 04.07.2015 to the respondents praying for release of the said vehicle, which is pending. Hence, the present Writ Petition is filed.

2. Without going into the merits of the contentions raised in the Writ Petition, the second respondent-RDO is directed to consider the said representation of the petitioner, dated 04.07.2015 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The adjudication proceedings shall go on.

3. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The District Collector,
Kancheepuram,
Kancheepuram District.
2. The Revenue Divisional Officer
Madhuranthagam
Kancheepuram District.

+1cc to Mr. G.Punniyakotti, Advocate SR 40049

+1cc to the Government Pleader, SR 40439

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UG (CO)
RS 13.08.2015