

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.No.24804 of 2015

M.Kannan

... Petitioner

-Versus-

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Ambattur, Chennai.

2.The Inspector of Police,
Ambattur Police Station,
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus directing the respondents 1 and 2 to forthwith take action based on the representation of the petitioner dated 07.08.2015 and to give back the TATA Ace Vehicle [bearing Regn. No.TN 20 BX 8073] to the petitioner.

For petitioner : Mr.B.Devakumar

For respondents : Mr.M.S.Ramesh, AGP

ORDER

Heard Mr. B.Devakumar, the learned counsel appearing for the petitioner and Mr.M.S.Ramesh, the learned Addl. Government Pleader, who took notice for the respondents and with their consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. Seeking to issue a mandamus directing the Respondents to consider the representation of the petitioner dated 07.08.2015 for the release of the vehicle TATA Ace bearing Regn. No. TN 20 BX 8073 forthwith, the petitioner is before this court.

3. The petitioner claims to be the owner of the vehicle, said to have been seized by the Revenue Divisional Officer. The petitioner is the proprietor of the shop which is dealing with hardwares [steel and building materials]. He has got registered with the Commercial Tax Department under the provisions of the Tamil Nadu Value Added Tax Act, 2006. His registration No. is TIN: 33511365959. During the regular course of his business, he transported half unit of sand from his shop for delivery to one of

his customers. While so, the vehilce was intercepted near Orgadam by the 1st respondent and the vehicle was seized alleging that he transported the sand illegally. Pursuant to the above, the petitioner submitted a representation dated 07.08.2015 to the respondents praying to release the vehicle. Since there was no response, the petitioner has come forward with this writ petition.

4. Considering the limited scope of the prayer sought for by the petitioner, without expressing anything with regard to the merits of the case, this court directs the 1st respondent herein to consider the representation of the petitioner dated 07.08.2015 with regard to release of the vehicle so seized and pass appropriate orders on the same on merits and in accordance with law, after providing due opportunity to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

kmk

To

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Ambattur, Chennai.

2.The Inspector of Police,
Ambattur Police Station,
Chennai.

1 cc to Mr. B.Devakumar, Advocate Sr.No.43514

1 cc to Government Pleader.Sr.No.43855

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gr(co)
pmk.25.6.2015