

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.25102 of 2015

K.Theerthamalai

... Petitioner

- Vs -

The District Revenue Officer,
Salem, Salem District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondent to release the Lorry bearing Registration No.TN-54-Y-9391 seized by the Inspector of Police, Civil Supplies CID, Salem, Salem District on 06.08.2015 to the petitioner.

For Petitioner
For Respondent

: Mr.C.Prakasam
: Mr.N.Roofus Abraham
Government Advocate

O R D E R

Heard the learned counsel for the petitioner, and the learned Additional Government Pleader appearing for the respondent.

2. The vehicle belonging to the petitioner has been seized by the Inspector of Police, Civil Supplies CID, Salem, Salem District on 06.08.2015. Seeking release of the said vehicle, the petitioner has come forward with the above writ petition.

3. The learned counsel for the petitioner has relied upon the order passed by this court in W.P.No.22972 of 2012 on 23.08.2012, in support of his contention.

5. The learned Additional Government Pleader on instructions submitted that enquiry is pending in this case and the appropriate orders would be passed shortly.

6. Admittedly, the vehicle has been in the custody of the respondent. No body would be benefited with the custody of the vehicle with the respondent. When there is no dispute that the

respondent has got power to take appropriate action, as an interim measure the vehicle can be released subject to the following conditions:

- (i) The petitioner shall deposit a sum of Rs.,50,000/- (Rupees Fifty Thousand Only) before the respondent.
- (ii) The petitioner shall produce the documents relating to the ownership of the vehicle.
- (iii) The petitioner shall file an undertaking that he will produce the vehicle in question before the respondent as and when called for and that he will not alienate the vehicle in question till the proceedings initiated are completed.
- (iv) On compliance of the above conditions, the respondent is directed to release the vehicle to the petitioner within a period of three days.
- (v) The respondent is directed to pass final orders in the adjudication proceedings, within a period of four weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CSIII)
dt:21/09/2015

True Copy

Sub-Assistant Registrar

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To

The District Revenue Officer,
Salem, Salem District.

+1 cc to Mr.C.Prakasam Advocate sr.49707
+1 cc to the Government Pleader High Court,
Madras sr.49849

W.P.No. 25102 of 2015

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