

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2015

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.26246 of 2015

G. Staline

[Petitioner]

Vs

1 The Additional Deputy Commissioner
Prohibition Enforcement Wing
North - II Chennai - 1.

2 The Inspector of Police
PEW Madavaram Range Chennai.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorarified mandamus to call for the records in the Show cause notice issued by the first Respondent vide C.No.41/ADC/PEW(NZ)/ Memo/2015 dated 17.07.2015 and quash the same, direct the first respondent to consider the petitioner's representation dated 05.08.2015 seeking release of his Two wheeler bearing registration No.TN-20BX-1705 (TVS Star Sports) was seized in the respect of Crime No.395 of 2015 u/s 4(1)(a) (Transporting) TNP Act for the allegation of Transporting 22 Quarter bottles of IMFL without valid licence.

For Petitioner : Mr.K.Madhan

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

O R D E R

Heard the learned counsel appearing for the petitioner and Mr.M.S.Ramesh, learned Additional 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.The writ petition has been filed under Article 226 of the Constitution of India challenging the Show cause notice issued by the first Respondent dated 17.07.2015 and to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 05.08.2015 seeking release of his Two wheeler bearing registration No.TN-20BX-1705 (TVS Star Sports) which was seized in the respect of

Crime No.395 of 2015 u/s 4(1)(a) (Transporting) of TNP Act for the allegation of Transporting 22 Quarter bottles of IMFL without valid licence.

3. The petitioner claims to be the owner of the vehicle, said to have been seized by the 2nd respondent on 29.06.2015. It is the contention of the learned counsel for the petitioner that the petitioner has handed over the said two wheeler to one of his neighbour Udayakumar on 29.06.2015 for the purpose of attending a marriage. Later on, the petitioner came to know that his vehicle was seized in connection with Crime No.395 of 2015 for violating section 4(1)(a) (Transporting) of TNP Act on the allegation of transporting 22 Quarter bottles of IMFL without valid licence. For the purpose of releasing the vehicle, the petitioner made a representation on 05.08.2015 to the 1st respondent and the same is kept pending. Since there was no response, the petitioner has come before this Court.

4. Mr.M.S.Ramesh, learned Additional Government Pleader would submit that the 1st respondent may be directed to dispose of the said representation of the petitioner dated 05.08.2015 within a time frame.

5. Considering the submissions made by the learned counsel on either side, without going into the merits of the matter, this writ petition is disposed of by directing the 1st respondent to dispose of the representation of the petitioner dated 05.08.2015, on merits and in accordance with law, within a period of one week from the date of receipt of a copy of this order. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1 The Additional Deputy Commissioner
Prohibition Enforcement Wing
North - II Chennai - 1.

2 The Inspector of Police
PEW Madavaram Range Chennai.

+1 cc to The Government Pleader, sr.46850

W.P.No.26246 of 2015

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