

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.27183 of 2015
and
M.P.No.1 of 2015

K.Thangaraj

[Petitioner]

Vs

- 1 The District Collector
Krishnagiri District.
- 2 The Assistant Director
Mines and Minerals Department
Krishnagiri.
- 3 The Tahsildar
Krishnagiri Taluk Office
Krishnagiri.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondents to release the Tipper Lorry bearing Re-registration No.TN-24-S-4431 seized on 09.03.2015 by the 1st respondent.

For Petitioner : Mr.G.Sivashankar

For Respondents : Mr.T.N.Rajagopalan, SGP

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O R D E R

Heard the learned counsel appearing for the petitioner and Mr.T.N.Rajagopalan, learned Special 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 seeking direction to the respondents to release the Tipper Lorry bearing Re-registration No.TN-24-S-4431 seized on 09.03.2015 by the 1st respondent.

3. The petitioner claims to be the owner of the vehicle, said to have been seized by the 1st respondent on 09.03.2015. For the purpose of releasing the vehicle, claiming that no illegal activity was carried on and enclosing a certificate cum policy schedule and pollution control certificate, the petitioner submits that a representation dated 13.03.2015 was submitted to the respondents. Since there was no response, the petitioner has come before this Court.

4. Mr.T.N.Rajagopalan, learned Special Government Pleader would submit that the District Collector is the competent authority to consider the claim of the petitioner so as to release the vehicle. However, no such representation was made to him.

5. In view of the same, the petitioner is directed to submit a representation to the District Collector for release of the vehicle in question along with a copy of this order, within a period of one week from the date of receipt of a copy of this order and on receipt of such a representation, the District Collector, who is the competent authority, is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of two weeks thereafter.

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

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

- 1 The District Collector
Krishnagiri District.
- 2 The Assistant Director
Mines and Minerals Department
Krishnagiri.
- 3 The Tahsildar
Krishnagiri Taluk Office
Krishnagiri.

1 CC to Mr.G.Sivashankar, Advocate SR.No. 46483

W.P.No.27183 of 2015

KSJ (CO)
PSI (01.09.2015)



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