

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.09.2015

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THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.27195 to 27197 of 2015

W.P.No.27195 to 2015

K.V.Srinivasan ... Petitioner

- Vs -

The District Revenue Officer,
Krishnagiri, Krishnagiri 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 Mini Van bearing Registration No.TN-24-W-8579 Seized by the Inspector of Police, Civil Supplies CID, Krishnagiri, Krishnagiri District on 28.07.2014 to the petitioner.

W.P.No.27196 of 2015

J.V.Shankar ... Petitioner

- Vs -

The District Revenue Officer,
Krishnagiri, Krishnagiri 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 Mini Omni Van bearing Registration No.TN-09-W-5449 Seized by the Inspector of Police, Civil Supplies CID, Krishnagiri, Krishnagiri District on 03.05.2015 to the petitioner.

W.P.No.27197 of 2015

E.Murugesan ... Petitioner

- Vs -

The District Revenue Officer,
Namakkal, Namakkal 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 Mahendra Maxi bearing Registration No.TN-09-BQ-3143 Seized by the Inspector of Police, Civil Supplies CID, Salem, Salem District on 04.06.2015 to the petitioner.

For Petitioner (in all W.P.'s)	: Mr.C.Prakasam
For Respondents (in all W.P.'s)	: Mr.S.Diwakar Additional Government Pleader

COMMON ORDER

As the issue involved in all these Writ Petitions is one and the same, they are disposed of by a common order.

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

3. In all these cases, the vehicles belonging to the petitioners have been seized by the Inspector of Police, Civil Supplies CID, Krishnagiri, Krishnagiri District on 28.07.2014, 03.05.2015 and 04.06.2015 respectively. Seeking release of the said vehicles, the petitioners have come forward with the above writ petitions.

4. The learned counsel for the petitioners have relied upon the order passed by this court in W.P.No.22972 of 2012 on 23.08.2012, in support of his contentions.

5. The learned Additional Government Pleader on instructions submitted that the appropriate orders would be passed shortly. In so far as Writ Petition in W.P.No.27195 of 2015 is concerned, enquiry is completed and in other two writ petitions viz., W.P.Nos. 27196 and 27197 the petitioners are yet to appear before the respondent.

6. Admittedly, the vehicles have been in the custody of the respondent for quite long time. No body would be benefited with the custody of the vehicles with the respondent. In the first case, more than one year has elapsed and the other cases three to four months have been elapsed. When there is no dispute that the respondent has got power to take appropriate action, as an interim measure the vehicles can be released subject to the following conditions:

- (i) The petitioners shall deposit a sum of Rs.,50,000/- (Rupees Fifty Thousand Only) before the respondent in respect of each vehicle.
- (ii) The petitioners shall produce the documents relating to the ownership of the vehicle.
- (iii) The petitioners shall file an undertaking that they will produce the vehicle in question before the respondent as and when called for and 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 petitioners within a period of three days.

(v) The respondents 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.

These Writ Petitions are disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The District Revenue Officer,
Krishnagiri, Krishnagiri District.

2.The District Revenue Officer,
Namakkal, Namakkal District

+3 ccs to Mr.C.Prakasam Advocate sr.49704,49705,
49706,

+1 cc to Government Pleader sr.49612

W.P.No.27195 to 27197 of 2015

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