

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No. 28498 of 2015

K.Ramesh

: Petitioner

-Vs-

1. The District Collector
***Villupuram** District.
 2. The Thasildar
Thirukoilur Taluk
***Villupuram** District.
 3. The Revenue Divisional Officer
***Thirukoilur Taluk,**
***Villupuram District**
 4. The Sub-Inspector of Police
Thirunavalur Police Station
***Villupuram** District.
- : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1, 2 and 4th respondents herein to forthwith release the Lorry bearing Regn. No. TN-20-AZ-5824 to the petitioner herein which was seized on 31.07.2015 by the fourth respondent herein.

For Petitioner : Mr.C.Deepa Nandhini

For RR 1 to 4 : Mr.R.A.S.Senthilvel
Additional Government Pleader

WEB COPY

O R D E R

The grievance of the petitioner is that the Lorry seized by the third respondent, namely, the Revenue Divisional Officer, ***Villupuram District, Thirukoilur Taluk**, has not been returned.

2. The learned Additional Government Pleader appearing for the said authority submitted that the Lorry has been seized as it was found carrying sand without permission.

3. It appears that the seizure was effected on 31.07.2015 and even now, no final order has been passed. Considering the same, a direction is issued to the third respondent to release the vehicle to the petitioner, subject to the condition that the petitioner shall deposit a sum of Rs.25,000/- on the file of the said authority by way of demand draft without prejudice to the pending proceedings. On such compliance, the vehicle will be released to the petitioner, subject to the following conditions :

- a) the petitioner shall produce the relevant documents to show his ownership of the vehicle;
- b) the petitioner shall not alienate or encumber the vehicle in any manner;
- c) the petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future; and
- e) the petitioner shall also produce the vehicle as and when required by the said authority.

4. Accordingly, the Writ Petition is disposed of. No costs. This order is passed without prejudice to the proceedings initiated against the petitioner.

-s/d-

Assistant Registrar

***Amended as per order
of this Court dated 4/11/2015
in MP.No.1/2015 in
WP.28498/15
-s/d-**

**Assistant Registrar(Ccc)
dt:05/11/2015**

True Copy

Sub-Assistant Registrar

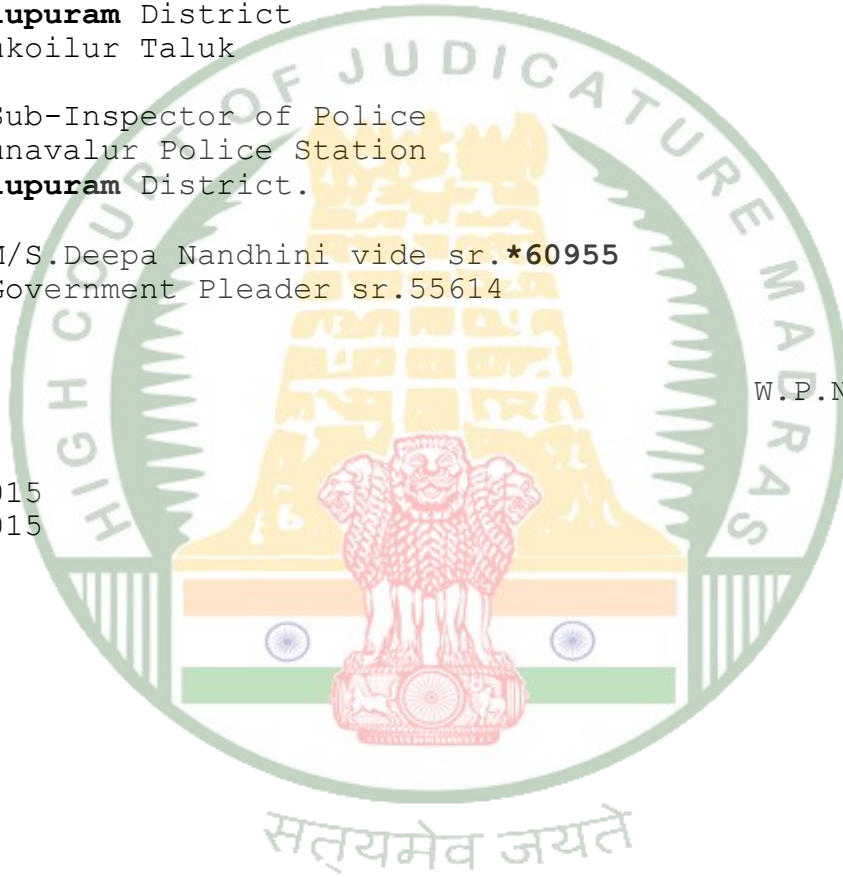
To

1. The District Collector
***Villupuram** District.
2. The Thasildar
Thirukoilur Taluk
***Villupuram** District
3. The Revenue Divisional Officer
***Villupuram** District
Thirukoilur Taluk
4. The Sub-Inspector of Police
Thirunavalur Police Station
***Villupuram** District.

+1 cc to M/S.Deepa Nandhini vide sr.*60955
+1 cc to Government Pleader sr.55614

W.P.No. 28498 of 2015

aa12/10/2015
aa05/11/2015



WEB COPY