

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.29358 of 2015

V. Thamotharan

[ Petitioner ]

Vs

1 The Revenue Divisional Officer  
Villupuram Collectorate Villupuram

2 The Inspector of Police  
Vanur Police Station Villupuram District [Respondents]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus to direct the respondents to return the petitioners lorry bearing number TN 32 V 9595 seized under FIR in crime number 162 of 2015 on the file of the 2nd Respondent herein.

For Petitioner : Mr.M.Santhanaraman  
For Respondents : Mr.T.N.Rajagopalan, SGP

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 return the petitioner's lorry bearing number TN 32 V 9595 seized under FIR in Crime Number 162 of 2015 on the file of the 2nd Respondent herein.

3. The petitioner claims to be the owner of the vehicle in question, said to have been seized by the 2nd respondent on 10.06.2015 in connection with Crime No.162 of 2015 on the allegation of carrying the prohibited stone. It is the case of the petitioner that the allegation is false and frivolous and at no point of time, he has carried prohibited goods. For the purpose of release of the vehicle, the petitioner is said to have sent a representation by RPAD

on 10.06.2015 to the 1st respondent. Since there was no response, the petitioner has come before this Court.

4. The learned counsel for the petitioner submits that it would be suffice if a direction is given to the 1st respondent to dispose of the petitioner's representation dated 10.06.2015 within a time frame.

5. Learned Special Government Pleader would submit that the Revenue Divisional Officer, who is the competent authority to consider the claim of the petitioner so as to release the vehicle may be directed to dispose of the said representation of the petitioner within a time frame.

6. In view of the limited prayer now sought for by the learned counsel for the petitioner and also taking into consideration the submissions made on either side, without expressing anything with regard to the merits of the case, this writ petition is disposed of by directing the petitioner to send a copy of the said representation dated 10.06.2015 along with a copy of this order to the 1st respondent and on receipt of the same, the 1st respondent is directed to consider and pass appropriate orders on the representation of the petitioner dated 10.06.2015 with regard to release of the vehicle in question seized by the 2nd respondent, on merits and in accordance with law, within a period of two weeks thereafter. No costs.

rg

s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

- 1 The Revenue Divisional Officer  
Villupuram Collectorate Villupuram
  - 2 The Inspector of Police  
Vanur Police Station Villupuram District
- + 1 cc to Govt. Pleder SR 51219

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