

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.37242 of 2015

M.P.Thandapani

[Petitioner]

Vs

The Revenue Divisional Officer
Madhurandhagam Kancheepuram District

[Respondent]

Writ petition filed under 226 of the Constitution of India for the issuance of writ of mandamus to direct the respondent to release the seized Lorry bearing Reg. No : TN-21-AX4385 seized on 19.11.2015 by the respondent to the petitioner

For Petitioner : Mr.Martin Jeyakumar

For Respondent : Mr.T.N.Rajagopalan,
Spl. Govt. Pleader

ORDER

Petitioner has filed this writ petition praying for a direction to the respondent to release the seized Lorry bearing Reg. No : TN-21-AX4385 seized on 19.11.2015 by the respondent to the petitioner

2.It is the case of the petitioner that he is the owner of the lorry bearing Regn. No.TN 21 AX 4385 and the same was intercepted by the respondent on 19.11.2015 and subsequently, it was seized with load of sand. The petitioner made a representation dated 19.11.2015 to the respondent seeking release of the vehicle, since the petitioner eking his livelihood only by plying the said lorry. Since no action has been taken by the respondent, the petitioner has filed the present writ petition.

3.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4.Considering the facts and circumstances of the case, this Court directs the respondent to release the lorry bearing Regn. No.TN 21 AX 4385 on the following conditions:-

(i) The petitioner shall produce documents before the respondent to establish the ownership of the vehicle in question.

(ii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) with the respondent.

(iii) The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondent.

(iv) On doing so, the lorry in question shall be returned to the petitioner.

(v) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned.

(vi) In case of violation of any one or more conditions by the petitioner, it is open to the the respondent to initiate appropriate action for the seizure of vehicle.

(viii) The respondent at at liberty to take appropriate action pursuant to the decisions taken in the proceedings.

5.The writ petition is disposed of with the above directions. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

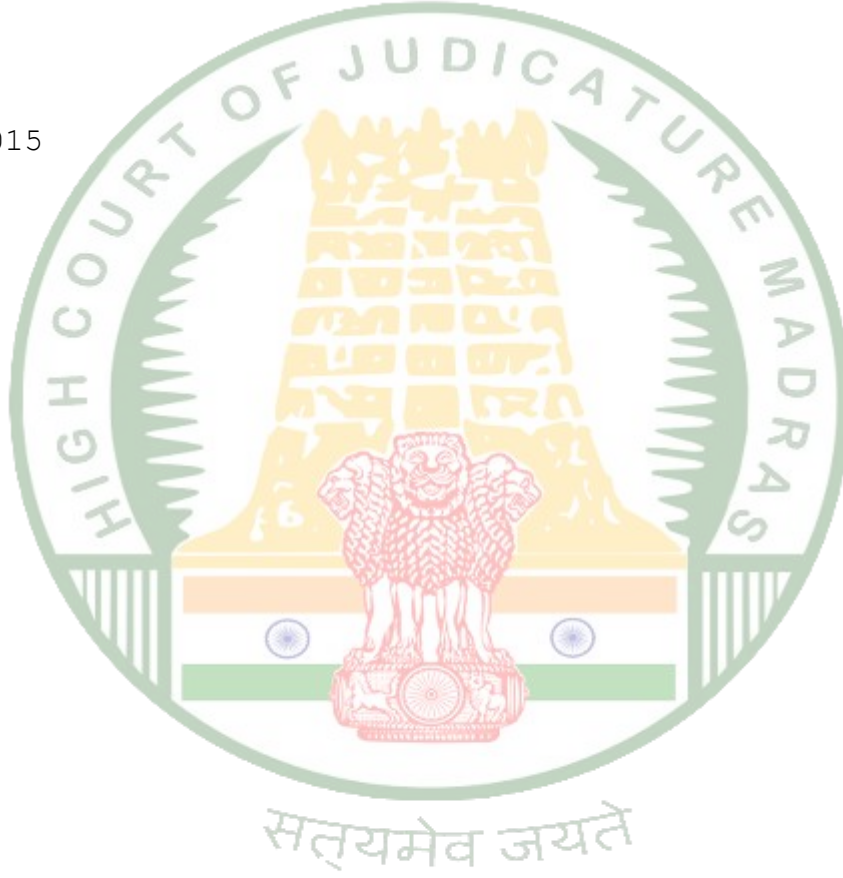
To

The Revenue Divisional Officer
Madhurandhagam Kancheepuram District

+1 cc to Mr.E.Martin Jeyakumar Advocate sr.67491

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