

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.03.2015

CORAM

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

W.P.No.6618 of 2015

and

M.P.No.1 of 2015

V.Manickam

.. Petitioner

vs.

1.Junior Engineer (Water Resources Division)

Public Works Department,  
Irrigation Wing, Erumapatti,  
Namakkal District.

2.Inspector of Police,

Mohanur Police Station,  
Namakkal Taluk and District.

Respondents

..

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus, directing the 2<sup>nd</sup> respondent herein to forthwith release the vehicles loaded with sand bearing Registration No.TN 28 AK 1546 together with sand transport permit No.260607 dated 03.03.2015 and TN 47 AB 4588 to the petitioner herein and further direct the 1<sup>st</sup> respondent herein to issue sand transport permit for vehicle TN 47 AB 4588.

For Petitioner : Mr.V.R.Rajasekaran

For Respondents : Mr.M.Maharaja,  
Addl. Public Prosecutor.

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ORDER

This petition is filed to direct the 2<sup>nd</sup> respondent herein to forthwith release the vehicles loaded with sand bearing Registration No.TN 28 AK 1546 together with sand transport permit No.260607 dated 03.03.2015 and TN 47 AB 4588 to the petitioner herein and further direct the 1<sup>st</sup> respondent herein to issue sand transport permit for vehicle TN 47 AB 4588.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is submitted by the learned counsel for the petitioner that the petitioner has filed an application before the learned Judicial Magistrate II, Namakkal for interim custody of the vehicle and the same is posted to 30.03.2013. He therefore, submitted that suitable direction may be given to the learned Judicial Magistrate II, Namakkal to dispose of the application filed by the petitioner for interim custody of the vehicle and this writ petition may be closed with an observation.

4. Recording the submission made by the learned counsel for the petitioner, this writ petition is disposed of directing the learned Judicial Magistrate II, Namakkal, to dispose of the petition filed by the petitioner for interim custody of the vehicle either on 30.03.2015 or any date within a period of two weeks thereafter, on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsm

To

1. Junior Engineer (Water Resources Division)  
Public Works Department,  
Irrigation Wing, Erumapatti,  
Namakkal District.

2. Inspector of Police, सत्यमेव जयते  
Mohanur Police Station,  
Namakkal Taluk and District.

3. The Public Prosecutor,  
High Court, Madras.

4. The Judicial Magistrate II,  
Namakkal.

1 cc to Mr. V.R.Rajasekaran, Advocate, SR.No.16537

W.P.No.6618 of 2015

lrs(co)  
pmk.25.3.2015