



4. The learned counsel appearing for the respondents submitted that till this date no FIR has been filed or no proceedings has been issued against the petitioner. Further, he submitted that they may contemplate proceedings against the petitioner shortly.

5. Considering the facts that the subject matter machinery was seized as early as on 13.01.2015 and till this date, no FIR has been filed or any other proceedings is issued, I am of the view that the machinery may be directed to be released subject to the certain conditions.

6. Accordingly, the respondents are directed to release the machinery viz., TATA Hitachi (Model ZX120) bearing its Machine Serial No.01S1-052498 to the petitioner as an interim custody on the petitioner complying the following conditions. The respondents are also directed to take appropriate photographs of the said machinery before handing over possession.

i)The petitioner shall establish the ownership of the machinery by producing necessary documents and certificates before the respondents;

ii)It is made clear that the petitioner shall not alienate the machinery till the adjudication proceeding is completed;

iii)The petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) by way of cash with the first respondent; and

iv)It is made clear that the petitioner shall give an undertaking before the respondents that he shall not use the petitioner's machinery viz., TATA Hitachi (Model ZX120) bearing its Machine Serial No.01S1-052498, for any illegal activities in future.

7. Accordingly, the writ petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Collector, Tirunelveli District, Tirunelveli.
- 2.The Sub-Collector, Cheranmahadevi Sub Division, Tirunelveli District.
- 3.The Tahsildar, Radhapuram Taluk, Tirunelveli District.
- 4.The Inspector of Police, Panagudi Police Station, Tirunelveli District.
- 5.The Inspector of Police, Palavoor Police Station, Tirunelveli District.

+1cc to Mr.R.Anand, Advocate, SR.No.5398

W.P. (MD) No.1297 of 2015
05.02.2015

MPK

PA/06.02.15/2P/7C(IT)