



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

C O R A M

WEB COPY

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

Writ Petition (MD) No.13298 of 2015

S. LOURDHSAMY

.. Petitioner

Vs.

1. THE DISTRICT REVENUE
OFFICER, TRICHY.

2. THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CRIME INVESTIGATION DEPARTMENT,
TRICHY.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to release the TVS XL Super Two Wheeler bearing Registration No.TN 45 BB 5504 seized by the second respondent on 12.07.2014 to the petitioner.

For petitioner ...Mr.T.Lenin Kumar

For Respondents ...Mr.M.Murugan
Government Advocate

ORDER

The writ petition has been filed praying this Court for issuance of a Writ of Mandamus directing the first respondent to release the TVS XL Super Two Wheeler bearing Registration No.TN 45 BB 5504 seized by the second respondent on 12.07.2014 to the petitioner.

2.Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3.The case of the petitioner is that he is the owner of the vehicle in question and the said vehicle was being used to transport of 2 bags of PDS rice at the time of its seizure.

4.Upon notice, the learned Government Advocate apperaing for the respondents had pointed out that since, proceedings had been initiated under Section 6-A of the Essential Commodities Act, 1955, the petitioner has to approach the first respondent for the release



of the vehicle concerned. However, without doing so, he has approached this Court, by filing the present writ petition.

5. Considering the above facts and circumstances, the respondents are directed to release the vehicle in question, subject to the following conditions:-

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

(ii) The petitioner shall deposit a sum of Rs.2,000/- (Rupees two thousand only) with the first respondent.

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

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

(v) It is made clear that the release of the vehicle in question, by this order, is only an interim measure, as it would be subject to the final order to be passed by the authorities concerned, under Section 6-A of the Essential Commodities Act, 1955.

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

sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

rj2

To

1. THE DISTRICT REVENUE OFFICER, TRICHY.

2. THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CRIME INVESTIGATION DEPARTMENT, TRICHY.

+one cc to M/s.T.Lenin Kumar, Advocate in SR.No.43447

+one cc to The Special Government Pleader, SR.No.43988,43995

W.P. (MD)No.13298 of 2015

cs1/17.08.2015

2p/5c