



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:26.02.2015
CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

WEB COPY

W.P. (MD) No.2565 of 2015

N.Maharajan

... Petitioner

Vs.

1.The Tasildar,
Nanguneri Taluk,
Nanguneri,
Tirunelveli District.

2.The Inspector of Police,
Kalakkadu Police Station,
Kalakkadu,
Tirunelveli District.

... Respondents.

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to release the petitioner's Trailer bearing Registration No.TN 76 X 6820 within a stipulated time as may be fixed by this Court.

For Petitioner :Mr.T.A.Ebenezer

For Respondents :Mr.T.S.Mohamed Mohideen
Additional Government Pleader

O R D E R

Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. This Writ Petition is filed seeking for the release of the Trailer bearing Registration No.TN 76 X 6820.

4. It is stated that the subject matter Trailer along with Tractor bearing registration No.TN 67 B 4024, was seized on 11.12.2014 by the second respondent and the petitioner has approached this court and filed W.P.No.661 of 2015 seeking for the release of the Tractor and by an order, dated 21.01.2015, the said Tractor was ordered to be released subject to certain terms and conditions.

5. It is further stated that unfortunately, the petitioner has not included the Trailer also in the above said Writ Petition for release of the same. Therefore, the present Writ Petition is filed seeking for the release of the Trailer.



6. The learned Additional Government Pleader appearing for the respondents is not disputing the above said facts.

7. As already this Court has directed the release of the Tractor subject to payment of Rs.10,000/-, the respondents are directed to release the Trailer bearing registration No.TN 76 X 6820, subject to the following conditions only:

"(i) The petitioner shall produce documents before the first respondent to establish the ownership of the Trailer in question;

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

(iii) On doing so, the Trailer in question shall be returned to be petitioner; and

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

The Writ Petition is ordered accordingly. No Costs.

Sd/-

Assistant Registrar(Writs)

\\True copy\\

Sub Assistant Registrar

To

1.The Tasildar, Nanguneri Taluk,
Nanguneri, Tirunelveli District.

2.The Inspector of Police,
Kalakkadu Police Station,
Kalakkadu, Tirunelveli District.

+1 CC TO M/S.T.A.EBENEZER, ADVOCATE SR.NO.9137

+1 CC TO THE SPL.GOV.T.PLEADER SR.NO.9453

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PM

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