



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

WEB COPY

Writ Petition (MD) No.2692 of 2015

M.G.M.Ravanan

... Petitioner

Vs.

The Sub Collector,
Office of the Sub Collectorate,
Kumbakonam,
Thanjavur District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Mandamus directing the respondent herein to release the petitioner's vehicle tractor bearing Registration No. TN 68 C 5278 within a time stipulated by this Honourable Court.

For Petitioner

: Mr.B.Jammel Arasu

For Respondents

: Mr.D.Muruganandam,
Additional Government Pleader.**ORDER**

The petitioner seeks for a Mandamus to direct the respondents to release the petitioner vehicle tractor bearing Registration No.TN-68-C-5278.

2.The grievance of the petitioner is that the said vehicle was not involved in any offence as alleged by the respondent and it was used only for lawful purpose. Therefore, for the release of the said vehicle, the present writ petition has been filed.

3.In my considered view, all these contentions raised by the petitioner cannot be gone into by this Court at this stage. However, as the vehicle is seized and kept idle, certainly it would diminish the value of the same.

4.Considering the facts and circumstances of the case, the respondents are directed to release the Tractor bearing Registration No.TN-68-C-5278 seized by the respondent on 20.02.2015, to the petitioner, subject to the following conditions:-

"i)The petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) with the respondent within a period of one week from the date of receipt of a copy of this order.

<https://hcservices.ecourts.gov.in/hcservices/>

ii)On deposit of the said amount, the respondent is directed to release the vehicle on the following conditions:-



(a) The petitioner shall produce before the respondent the relevant documents to establish that he is the owner of the vehicle;

(b) He shall execute an affidavit giving undertaking that he will not alienate the vehicle till the completion of the proceedings, if any, initiated against him;

iii) The respondent is at liberty to initiate proceeding against the petitioner, if the petitioner has violated any of the provisions of the Acts or Rules. But the proceeding has to be taken, within a period of three months from the date of receipt of a copy of this order. If no action is taken against the petitioner, within the said period, the amount deposited by him shall be returned to him; and

(iv) The petitioner shall abide by the orders passed by the authority concerned or the respondent".

6. With the above direction, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar(Writs)

\\True copy\\

Sub Assistant Registrar

To

The Sub Collector, Office of the Sub Collectorate,
Kumbakonam, Thanjavur District.

+1 CC TO M/S.B.JAMEEL ARASU, ADVOCATE SR.NO.10293

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SMS

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