



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.04.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE.R.MAHADEVAN

W.P(MD).No.5202 of 2015

K.Mohan

... Petitioner

Vs

1.The District Revenue Officer,
Trichy, Trichy District.

2.The Inspector of Police,
Civil Supplies Crime Investigation Department
Trichy District.

... Respondents

This Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to release the Omni Van bearing Reg.No.TN-41-AB-4297, seized on 25.10.2014 by the second respondent to the petitioner.

For petitioner : Mr.T.Leninkumar

For respondents : Mr.R.Manoharan

Special Government Pleader

ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to release the Omni Van bearing Reg.No.TN-41-AB-4297, seized on 25.10.2014 by the second respondent to the petitioner.

2. Mr.R.Manoharan, learned Special Government Pleader takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. The learned counsel appearing for the petitioner would bring to the notice of this Court through the typed set of papers that in similar circumstances, this Court considered the issue involved in this Writ Petition in W.P.(MD).No.5675 of 2014 and <https://hcservices.ecm.civildocs.com/hcservices> and release the vehicle. Subsequently also, the same issue was considered in W.P.(MD).No.7614 of 2014 dated 29.04.2014 and vehicle therein was released with certain conditions.



5. The learned Special Government Pleader has not refuted the said submission of the learned counsel appearing for the petitioner. However, he prayed this Court that stringent conditions may be imposed for stopping such occurrence.

WEB COPY

6. Considering the facts and circumstances of the case and in view of the fact that the vehicle in question is kept without any use by exposing it to the sun and the rain, it would certainly lose its value, the first respondent is directed to release the vehicle in question to the petitioner on the following conditions:-

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

(ii) The petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) with the first respondent;

(iii) The petitioner shall give an undertaking that he will not use the vehicle or any other vehicle for any illegal activities and also he will not indulge in such activities in future ;

(iv) The vehicle shall be produced to the respondents as and when required.

After fulfilling all the four conditions, the first respondent shall release the vehicle in question to the petitioner with a specific condition that he shall not alienate or encumber the vehicle in question till the disposal of the proceedings before the authorities concerned. It is also made clear that it is open to the authorities to take appropriate action against the petitioner, in case, he violates any one of the conditions stipulated in this order.

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

Sd/-

Assistant Registrar(C.)

/True Copy/

Sub-Assistant Registrar

To

1.The District Revenue Officer,
Trichy, Trichy District.

2.The Inspector of Police,

Civil Supplies Crime Investigation Department, Trichy District.

+One cc to The Special Government Pleader, SR.No.18275

+One cc to Mr.T.Lenin Kumar, Advocate, SR.No.17497

ssm

RL/5 c- 17/4/2015

W.P(MD) .No.5202 of 2015