



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

W.P. (MD) No.9889 of 2015

M.Veeramani ... Petitioner
Vs.

1.The District Revenue Officer, Trichy.
2.The Inspector of Police,
Civil Supplies, Crime Investigation,
Department, Trichy. ... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to release the TVS XL Super two wheeler bearing registration No.TN-48/AA 9524 seized on 07.05.2015 by the 2nd respondent.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.M.Murugan, G.A.

ORDER

This Writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to release the TVS XL Super two wheeler bearing registration No.TN-48/AA 9524 seized on 07.05.2015 by the 2nd respondent.

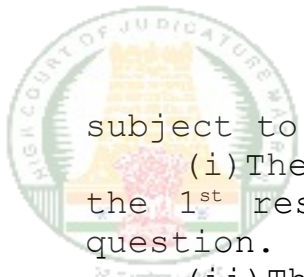
2.Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

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 rice at the time of its seizure.

4.Upon notice, the learned Government Advocate appearing for the respondents had pointed out that since, the proceedings had been initiated under Section 6-A of the Essential Commodities Act, 1955, the petitioner has to approach the 1st respondent for the release of the vehicle concerned. However, without doing so, the petitioner has approached this Court, by filing the present Writ petition.

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

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 1st 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 1st 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 1st 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

/True Copy/

Sub Assistant Registrar

To

1. The District Revenue Officer, Trichy.

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

+ 1 CC TO MR.T.LENIN KUMAR, ADVOCATE IN SR NO. 48072

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 48460

NBJ

TE/AN-MP/ 15/09/2015 2P/5C

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