

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 17-08-2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.30142 of 2014

and

M.P.No.1 of 2014

R. Santhoshkumar

.. Petitioner.

Versus

1.The Inspector of Police
Civil Supplies C.I.D.
Cuddalore Division
Cuddalore District.
2.The District Revenue Officer
Cuddalore Division
Cuddalore District.
(R2 is impleaded as per order
dated 29/01/2015 by TSSJ in
M.P.No.1 of 2015 in W.P.
No.30142 of 2014).

.. Respondents.

Prayer: Petition filed seeking for a Writ of Mandamus, directing the respondents to release the petitioner's vehicle bearing Registration No.TN-32-V-2527, Torres Lorry, belonged to him, which has been seized by the respondent on 23.06.2014.

For Petitioner : Mr.J. Selvarajan

For Respondents : Mr.P. Karthikeyan
Govt. Advocate.

ORDER

Heard the learned counsel, appearing on behalf of the petitioner, as well as the learned counsel, appearing on behalf of the respondents.

2. This Writ Petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicle, Torres Lorry, bearing Registration No.TN-32-V-2527, Torres Lorry, which has been seized by the respondent, on 23.06.2014.

3. In view of the averments made in the affidavit filed in support of petition and taking into consideration the relief prayed for by the petitioner, this Court is of the view that, in similar matters, orders had already been passed by this Court, releasing the vehicles on certain conditions, and therefore, following the similar orders, the respondents are directed to release the vehicle, bearing Registration No.TN-32-V-2527, to the petitioner, on his fulfilling the following conditions:-

(i) The petitioner shall establish the ownership of the vehicle, by producing the necessary documents and the certificates, before the respondents, including the R.C. Book.

(ii) The petitioner shall not alienate the vehicle, in any manner, till the adjudication proceedings are completed.

(iii) The petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty thousand only), in cash, with the second respondent, which will be subject to the final orders to be passed in the adjudication proceedings.

(iv) The petitioner shall give an undertaking before the second respondent that he shall not use the vehicle, for any illegal purpose, in future, and that he shall also produce the vehicle, as and when it is required by the second respondent.

(v) This order, for the release of the vehicle, can be availed of by the petitioner, if the vehicle is not in the custody of the criminal Court. If the vehicle is in the custody of a criminal Court, it would be open to the petitioner to approach the Magistrate concerned to get the vehicle released by filing an appropriate application, in accordance with law.

(vi) The adjudication proceedings shall be completed by the concerned authority, within a period of two months from the date of receipt of a copy of this order.

4. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected M.P. is closed.

Index:Yes/No
Internet:Yes/No

17-08-2016

rnb

To

1.The Inspector of Police
Civil Supplies C.I.D.
Cuddalore Division
Cuddalore District.
2.The District Revenue Officer
Cuddalore Division
Cuddalore District.

M.JAICHANDREN,J.

rnb

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