

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM

THE Hon'ble Mr.JUSTICE M. DURAISWAMY

W.P.Nos.14784 and 14785 of 2016

A. Velankanni Petitioner in W.P.No.14784 of 2016

V. Kalaimani Petitioner in W.P.No.14785 of 2016

vs

1. The District Collector,
Kancheepuram,
Kancheepuram District

2. The Revenue Divisional Officer,
Madhuranthagam,
Kancheepuram District Respondents in both the
petitions

Writ Petitions filed under Article 226 of the Constitution of India praying this Court to issue Writs of Mandamus directing the respondents to release the Heavy Goods Vehicles bearing Registration Nos.TN.20.AX.4254 and TN.05.W.4221, which were seized by the second respondent herein on 01.04.2016 and thereby consider the petitioners' representations dated 04.04.2016 and pass orders.

For petitioners :Mr.P. Murali

For respondents :Mr.A. Zakir Hussain
Government Advocate

COMMON ORDER

The petitioners have filed the writ petitions for issuance of Writs of Mandamus directing the respondents to release the Heavy Goods Vehicles bearing Registration Nos.TN.20.AX.4254 and TN.05.W.4221, which were seized by the second respondent herein on 01.04.2016 by considering the petitioners' representations dated 04.04.2016 and pass orders.

2. It is the case of the petitioner that the petitioners are the owners of the vehicles, bearing Nos.TN.20.AX.4254 and TN.05.W.4221. The petitioners transported one load of sand, without any valid bill or permission of the Government. Hence the vehicles were seized by the second respondent and case was registered against the petitioners under Section 21 of the Tamil Nadu Mine and Minerals Act. According to the petitioners, the sand was transported only for their personal use and therefore, the petitioners gave representations before the respondents on 04.04.2016.

3. Mr.A. Zakir Hussain, learned Government Advocate, appearing for the respondents, submitted that in an identical matter, in W.P.No.4989 of 2016 dated 10.02.2016, this Court permitted the petitioner to submit a copy of the representation, seeking for release of the vehicle, in question, along with the copy of the order passed in the writ petition and on receipt of the said representation and the copy of the order, the respondents were directed to consider the same and pass orders on merits and in accordance with law. The learned Government Advocate also submitted that similar order can be passed in the present writ petitions.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the writ petitioners, without expressing any opinion with regard to the merits of the case, I permit the petitioners to submit a copy of the representations dated 04.04.2016, seeking release of the vehicles, along with a copy of this order, to the respondents, within one week from the date of receipt of the copy of this order and on receipt of the same, the respondents are directed to consider the representations and pass orders on merits and in accordance with law within a period of four weeks thereafter. With these observations, both the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

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Sub Assistant Registrar

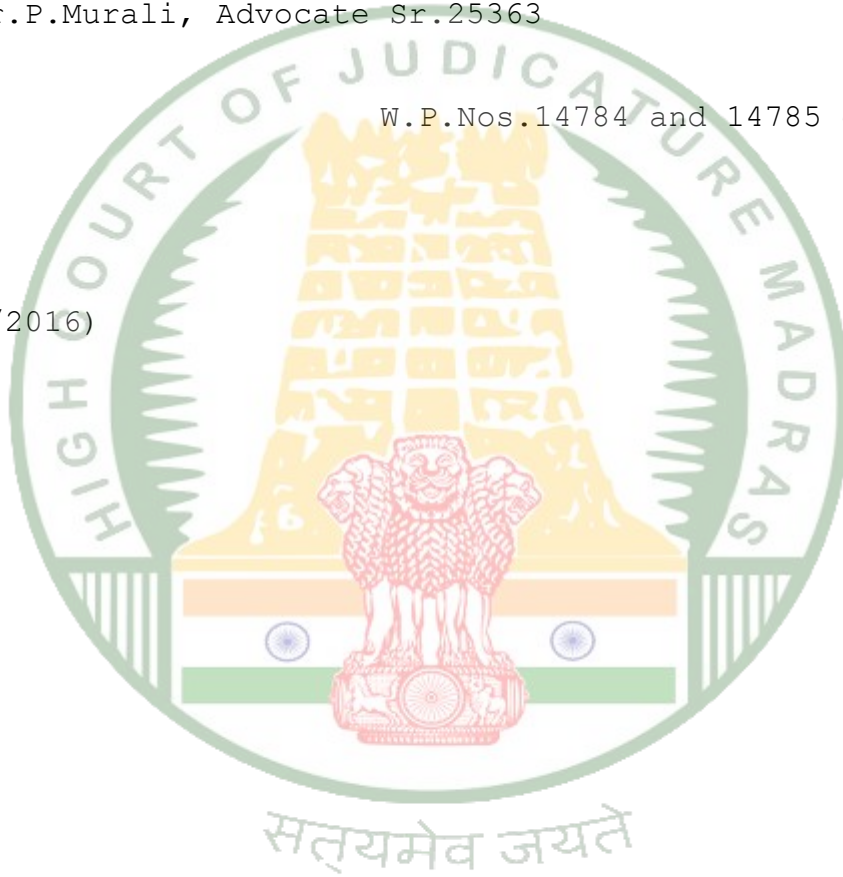
To

1. The District Collector,
Kancheepuram,
Kancheepuram District
2. The Revenue Divisional Officer,
Madhuranthagam,
Kancheepuram District

+2cc to Mr.P.Murali, Advocate Sr.25363

W.P.Nos.14784 and 14785 of 2016

bvr(CO)
srg(25/04/2016)



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