

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.15070 of 2016

S.Nandagopal

... Petitioner

Vs.

- 1.The District Collector,
Vellore District,
Vellore.
- 2.The District Revenue Officer,
Ranipet Zone,
Ranipet,
Vellore District.
- 3.The Tahsildar,
Arakkonam Taluk,
Arakkonam.
- 4.The Revenue Inspector,
Kaveripakkam Taluk,
Kaveripakkam,
Vellore District.
- 5.Village Administrative Officer,
Mamandur Village,
Arakkonam Taluk,
Vellore District.
- 6.Village Administrative Officer,
Duraiperumbakkam Village,
Arakkonam Taluk,
Vellore District.
- 7.The Inspector of Police,
Kaveripakkam Police Station,
Kaveripakkam, Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Mandamus directing the respondents to return the vehicle viz., Excavator Construction Equipment Vehicle with excavat bearing Registration No.TN 22 AM 8485 to the petitioner.

For Petitioner : Mr.M.Duraimurugan

For Respondents: Mr.R.Govindasamy,
Special Government Pleader.

O R D E R

The petitioner would state that he is the owner of Excavator Construction Equipment Vehicle bearing Registration No.TN 22 AM 8485 and according to him on 29.01.2016, one Murugesan, resident of Panapakam Village, had approached him and hired the vehicle and after finishing the work, when the petitioner was returned along with his vehicle at about 7.30 a.m., he was intercepted by the respondents 3 to 6 and they made some illegal demand and since the petitioner has not acceded to the said illegal demand, the vehicle was seized under the pretext that it was illegally transported the earth/sand.

2. The learned counsel appearing for the petitioner would submit that the petitioner is nothing to do with the alleged commission of offence whatsoever and who is an innocent and though he submitted representations dated 11.04.2016 and 13.04.2016 to the respondents for release of the vehicle, no orders have been passed and therefore, he is constrained to approach this Court by filing this writ petition.

3. This Court heard the submission of Mr.R.Govindasamy, the learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner prayed for the larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, permits the petitioner to submit a representation to the jurisdictional Revenue Divisional Officer along with the copy of this order as well as the copy of the earlier representations dated 11.04.2016 and 13.04.2016 within a period of one week from the date of receipt of a copy of this order and the said official, on receipt of the said representation, is directed to consider the same on merits and in accordance with law and pass orders within a period of two weeks thereafter and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

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To

- 1.The District Collector,
Vellore District,
Vellore.
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Vellore District.
- 3.The Tahsildar,
Arakkonam Taluk,
Arakkonam.
- 4.The Revenue Inspector,
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Vellore District.
- 7.The Inspector of Police,
Kaveripakkam Police Station,
Kaveripakkam, Vellore District.

8.The Revenue Divisional Officer,
Vellore District.

1 cc to Government Pleader, sr.38017

1 cc to Mr.M.Duraimurugan, Advocate, sr.38237

Writ Petition No.15070 of 2016

msm co

kra 21.07.2016