

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.39794 of 2015

K. Muruganandam

.. Petitioner

Vs.

The Revenue Divisional Officer,
Madhuranthagam,
Kanchipuram District

.... Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondent to release the seized Tractor bearing Registration No.TN-21-L-4423 seized on 07.12.2015 by the respondent to the petitioner.

For Petitioner : Mr.R. Martin Jayakumar
For Respondent : Mr.T.N. Rajagopalan
Special Govt. Pleader

ORDER

Petitioner has filed this writ petition praying for a direction to the respondent to release the Tractor bearing Registration No.TN-21-L-4423 seized on 07.12.2015 by the respondent to the petitioner.

2. It is the case of the petitioner that he is the owner of the Tractor bearing Registration No.TN-21-L-4423 and the same was intercepted by the respondent on 7.12.2015 and subsequently, it was seized with one load of Savedu. The petitioner made a representation dated 08.12.2015 to the respondent seeking release of the vehicle, since the petitioner eking his livelihood only by plying the said Tractor. Since no action has been taken by the respondent, the petitioner has filed the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

4. Considering the facts and circumstances of the case, this Court directs the respondent to release the Tractor bearing Registration No.TN-21-L-4423 on the following conditions:-

(i) The petitioner shall produce documents before the respondent to establish the ownership of the vehicle in question.

(ii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) with the respondent.

(iii) The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondent.

(iv) On doing so, the Tractor in question shall be returned to the petitioner.

(v) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned.

(vi) In case of violation of any one or more conditions by the petitioner, it is open to the respondent to initiate appropriate action for the seizure of vehicle.

(viii) The respondent is at liberty to take appropriate action pursuant to the decisions taken in the proceedings.

5. The Writ Petition is disposed of with the above directions. No costs.

sd/-

Assistant Registrar (Cs-II)

/TRUE COPY/

Sub-Assistant Registrar

msr

To

The Revenue Divisional Officer,
Madhuranthagam,
Kanchipuram District

+1 CC to MR. Martin Jayakumar Advocate. SR.NO.1175

+1 CC to Govt.Pleader. SR.NO.1377

W.P.No.39794 of 2015

CO-SVI

JD 21/01/2016