

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

WP.No.34653 of 2016

Thiru.P.Vijayakumar ..Petitioner

-Vs-

1. The District Collector,
The Collector's Office,
Namakkal District.
 2. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Namakkal.
 3. The Assistant Director,
Geology and Mining,
Namakkal District.
- ... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondents to consider the representation dated 17.08.2016 and directing the respondents herein to release the JCB bearing number TN-76-S-5605.

For Petitioner : Mr.Thangavadhana Balakrishnan
For Respondents : Mr.R.Govindasamy
Special Government Pleader

ORDER

Heard Mr.Thangavadhana Balakrishnan learned Counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondents.

2.The petitioner seeks for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 17.08.2016 and to direct the respondents to release the petitioner's vehicle.

3.From the written instructions given by the District Collector, Namakkal, it is seen that the second respondent has passed an order dated 29.08.2016 levying penalty on the petitioner for illicit quarrying by using the JCB vehicle bearing Registration No.TN-76-S-5605 and the petitioner has paid the penalty amount of Rs.25,000/- on 05.07.2016, and it appears that the request for release of the vehicle is now pending consideration. In the mean time, the second respondent has sent a report to the Regional Transport Officer, Thenkasi, Tirunelveli District for cancellation of registration certificate of the said vehicle.

4.Considering the fact that the petitioner has already paid the penalty, the respondents are directed the release the JCB bearing registration No.TN-76-S-5605 and this order will not prevent the Regional Transport Officer, Thenkasi, Tirunelveli District from taking action in accordance with law.

5.The writ petition is disposed of with the above direction.
No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

To

1. The District Collector,
The Collector's Office, Namakkal District.
 2. The Revenue Divisional Officer,
O/o. Revenue Divisional Office, Namakkal.
 3. The Assistant Director,
Geology and Mining, Namakkal District.
 - 4 The Regional Transport Officer, Thenkasi, Tirunelveli District
- +1 CC to R.S. Anandan, Advocate Sr.No.55895
+1 CC to Government Pleader Sr.No.57236

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MG (CO)
MD 05/10/2016