

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.34890 of 2016

J.Subash

.. Petitioner

vs.

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Revenue Divisional Officer
Maduranthakam
Kancheepuram District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus, to direct the respondents herein to release the Lorry bearing Reg.No.TN-21-K-6220, which was seized on 18.09.2016, by the 2nd respondent to the petitioner herein.

For Petitioner : Mr.V.Venkatesan
for Mr.K.Govindaraj

For Respondents : Mr.S.Diwakar
Spl.Govt. Pleader

O R D E R

Heard Mr.V.Venkatesan, learned counsel for Mr.K.Govindarajan, learned counsel appearing for the petitioner and Mr.D.Diwakar, learned Special Government Pleader appearing for the respondents. With the consent of the learned counsel appearing on either side, the Writ Petition itself is taken up for disposal.

2.The petitioner has come forward with this Writ Petition for directing the respondents to release the Lorry bearing Reg.No.TN-21-K-6220, which was seized on 18.09.2016, by the 2nd respondent to him.

3.The petitioner is the owner of the lorry, which has been now detained by the second respondent, for illicit transport of sand. The petitioner would submit that he is innocent and for no fault committed by him, the vehicle should not be detained,

which is the only source of income for his family. The petitioner further submitted that the place from which the sand was taken by the driver of the vehicle, was his own agricultural land, which is in the same Revenue Unit and therefore, the petitioner pleads that his case may be considered sympathetically and the lorry may be released, as the petitioner has not come to any adverse notice on any earlier occasions.

4.Considering the above facts, the petitioner is directed to submit the copy of the representation dated 19.09.2016, along with the copy of this order and appear in person before the second respondent and the second respondent is directed to consider the petitioner's representation dated 19.09.2016, and pass appropriate orders on merits and in accordance with law, within a period of two ***weeks** from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)
Dated:5/10/2016

*Corrected as per order
of this Court dated
7/10/2016 made in
W.P.No.34890/2016

Sd/-
Assistant Registrar(CS-II)
Dated:13/10/2016

//True Copy//

Sub Assistant Registrar

rpa
To

1.The District Collector
Kancheepuram District
Kancheepuram.

To be substituted order
already despatched
on 5/10/2016.

2.The Revenue Divisional Officer
Maduranthakam
Kancheepuram District.

+1ccs to Mr.K. Govindaraj Advocate, S.R.No.*57937
+1cc to the Government Pleader, S.R.No.56944

W.P.No.34890 2016

KS (CO)
EU (05/10/2016)
srg 13/10/2016