

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.36052 of 2016

K.Vinoth Kumar

.. Petitioner

vs.

1.The Revenue Divisional Officer,
Kancheepuram District,
Kancheepuram.

2.The Inspector of Police,
Uthiramerur Police Station,
Uthiramerur,
Kancheepuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to release the TRR Tractor bearing Regn. No.TN-21-AF-7564 which was seized on 09.09.2016 by the second respondent to the petitioner herein.

For Petitioner : Mr.K.Govindaraj

For Respondents : Mr.S.Diwakar,
Special Government Pleader

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents herein to release the TRR Tractor bearing Regn. No.TN-21-AF-7564 which was seized on 09.09.2016 by the second respondent to the petitioner herein.

2. The petitioner is the owner of the TRR Tractor bearing Reg.No.TN-21-AF-7564 and the same has been used by him for agricultural purposes and when the petitioner transported one load mud of well for agricultural purposes, the tractor was intercepted by the second respondent on 09.09.2016 on the allegation that his vehicle is used for transporting Gravel Mud

illegally. Though the petitioner informed the second respondent at the time of seizure that the transportation is only for the purpose of agricultural activities, the second respondent effected seizure of the vehicle and handed over the same to the first respondent. The petitioner, in this regard, has sent a representation to the first respondent dated 12.09.2016 seeking release of his TRR Tractor and since no response was forthcoming, came forward with this writ petition.

3. When the matter is taken up for consideration, the learned counsel appearing for the petitioner submitted that the place from which mud was taken, was the petitioner's own agricultural land, which is in the same Revenue Unit and therefore, the case of the petitioner may be considered sympathetically and the TRR Tractor 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 a copy of the representation dated 12.09.2016 along with a copy of this order and appear in person before the first respondent and the first respondent is directed to consider the petitioner's representation dated 12.09.2016 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.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst. Registrar.

/true copy/

सत्यमेव जयते
Sub Asst. Registrar.

jvm

To
1. The Revenue Divisional Officer,
Kancheepuram District,
Kancheepuram.

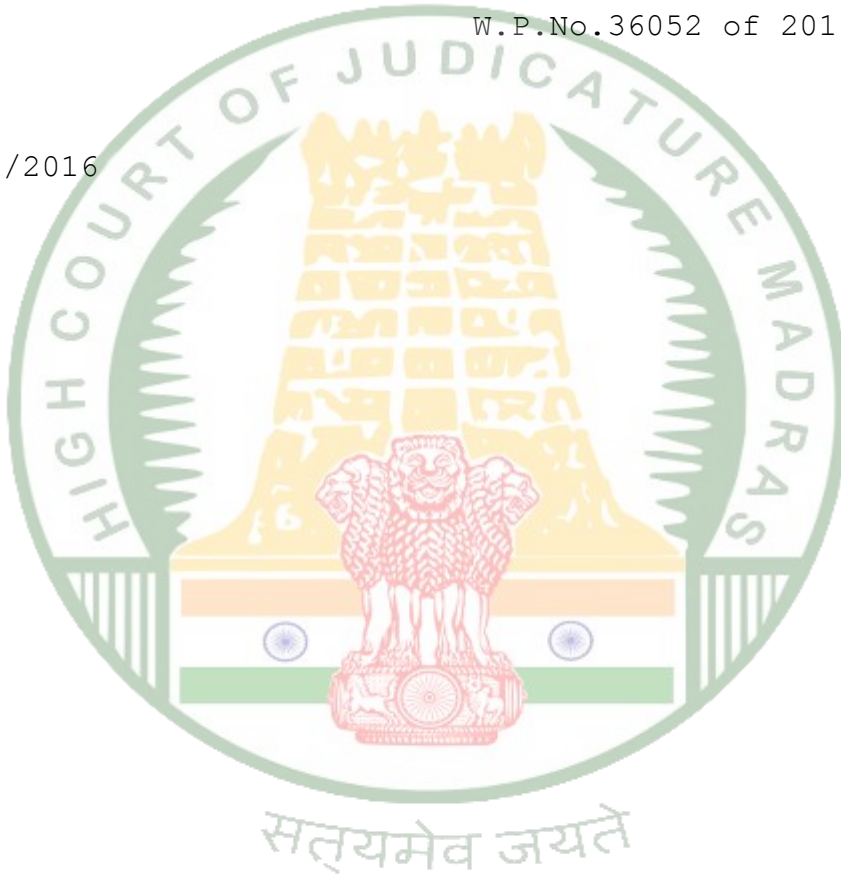
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2.The Inspector of Police,
Uthiramerur Police Station,
Uthiramerur,
Kancheepuram District.

+1 CC to Mr. K. Govindaraj, Advocate Sr.No.58668
+1 CC to Government Pleader, Sr.No.58939

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RSY (CO)
MD : 20/10/2016



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