

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2016

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.39257 of 2016

1 A.Srinivasan ... Petitioner

Vs

- 1 The State of Tamil Nadu
Rep by its Secretary to Government
Department of Home Government of Tamil Nadu
St. George Fort Chennai-600009
- 2 The Director General of Police
Cathedral Road Mylapore Chennai-600 004
- 3 The District Collector
Thiruvannamalai District
- 4 The Tahsildar
Arani
- 5 The Sub Inspector of Police
Kannamangalam Police Station Arani
Thiruvannamalai District ... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue Writ of mandamus, to directing the respondents 4 and 5 to release the petitioners Tractor bearing No.TN 32 V 7105 which was detained by them on 21.5.2016 while transporting sand from his own land to be used for agricultural purpose to the petitioner forthwith.

For Petitioner : Mr.J.Antony Jesus

For Respondents :Mr.S.Diwakar,Spl.G.P.

O R D E R

Heard Mr.J.Antony Jesus, the learned counsel for the petitioner and Mr.S.Diwakar, the learned Special Government Pleader, who accepts notice on behalf of the respondent and with

the consent of either side, the writ petition itself is taken up for final disposal.

2. The petitioner is aggrieved by the action of the fourth respondent in seizing his tractor and trailer on the ground that sand was transported in the said vehicle, illicitly.

3. The petitioner's case is that sand was taken from his land for bona fide agricultural purpose and there is no illicit mining. It appears that the tractor and trailer was seized in May 2016 and it is not known as to what is the present state of affairs. The representation given by the petitioner, on 12.09.2016, is not well worded. Therefore, the writ petition is disposed of by giving liberty to the petitioner to submit a fresh representation along with a copy of this order and if the same is submitted, the third respondent shall consider the same and examine as to whether any illegality was committed by the petitioner and pass orders on merits and in accordance with law, within a period of 10 days from the date of receipt of the said representation. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

msk

To

- 1 The Secretary to Government
Department of Home Government of Tamil Nadu
St. George Fort Chennai-600009
- 2 The Director General of Police
Cathedral Road Mylapore Chennai-600 004
- 3 The District Collector
Thiruvannamalai District
- 4 The Tahsildar
Arani

5 The Sub Inspector of Police
Kannamangalam Police Station Arani
Thiruvannamalai District

1 cc to M/s.J. Antony Jesus, Advocate, Sr. 64801

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MV (CO)
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