

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11/3/2016

C O R A M

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.7803 of 2016

A. Poonkodi ... Petitioner

Vs

The District Revenue Officer
Thiruvannamalai
Thiruvannamalai District. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to release the car bearing Registration No.TN09-AL-8263 seized by the Inspector of Police, Civil Supplies CID, Thiruvannamalai, on 3/1/2016, to the petitioner.

For Petitioner ... Mr.C.Prakasam

For respondent ... Mr.S.Pattabiraman
Government Advocate

O R D E R

With the consent of the learned counsel appearing on either side, this writ petition is taken up for final disposal.

2. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate for the respondent.

3. This writ petition has been filed praying to direct the respondent, to release the car, bearing Registration No.TN09-AL-8263, seized by the Inspector of Police, Civil Supplies CID, Thiruvannamalai, on 3/1/2016, to the petitioner.

4. According to the petitioner, he is the owner of the vehicle concerned and on suspicion, the vehicle was seized by the Inspector of Police, Civil Supplies CID, Thiruvannamalai, on 3/1/2016.

5. The learned counsel appearing for the petitioner, would submit that this Court, in matters of similar nature has granted the relief, as sought for by the petitioner, with some stringent conditions. To strengthen his case, the learned counsel appearing for the petitioner, produced a copy of the order made in W.P.1616 of 2015 dated 23/1/2015.

6. Accordingly, the respondent is directed to release the car bearing registration No.TN09AL-8263 to the petitioner, fulfilling the following conditions:-

(i). The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) in cash before the respondent;

(ii). The petitioner shall produce the documents relating to the ownership of the vehicle

(iii). The petitioner shall file an undertaking that he will produce the vehicle in question before the respondent as and when called for and that he will not alienate the vehicle in question till the proceedings initiated are completed.

(iv). On compliance of the above conditions, the respondent is directed to release the vehicle to the petitioner within three days;

(v). The respondent is directed to pass final orders in the adjudication proceedings, within a period of two months;

(vi). This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of criminal Court. If the vehicle is in the custody of the criminal Court, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law;

(vii). As the car was seized on 3/1/2016, the above order could be complied within three days, if no order of adjudication is passed or confiscation is passed as on today.

7. The writ petition is disposed of subject to the above conditions. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

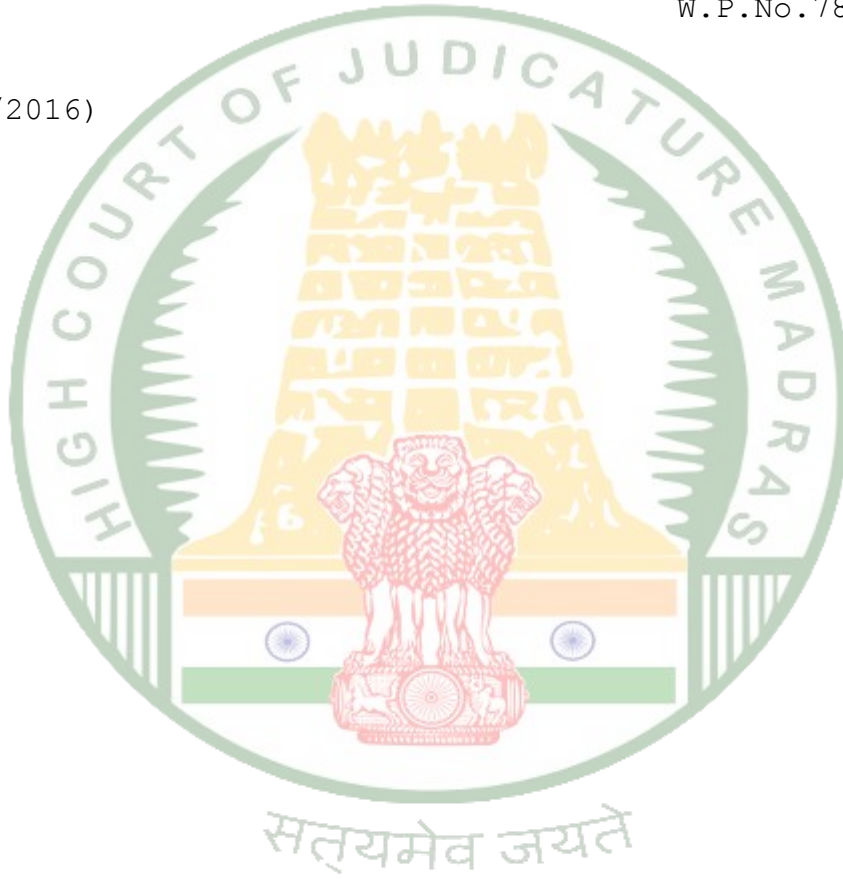
To

The District Revenue Officer,
Thiruvannamalai,
Thiruvannamalai District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.16124
+1cc to the Government Pleader, S.R.No.16048

W.P.No.7803 of 2016

mp (CO)
srg (14/03/2016)



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