

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.8188 of 2016

M.Munaff

.. Petitioner

Vs.

The District Revenue Officer,
Ooty, The Nilgiris District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to release the Pickup Van bearing Registration No.TN-43-B-1865 seized by the Inspector of Police, Civil Supplies CID, The Nilgiris, The Nilgiris District on 24.02.2016 to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.R.Govindasamy,
Special Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal.

The petitioner claims that he is the owner of Mahindra and Mahindra Pickup Van bearing Reg.No.TN-43-B-1865 and according to him, he is a Government Road Contractor and for the purpose of laying road, he instructed his driver to purchase 150 litres of Kerosene and it was purchased and transported in the said vehicle and it was intercepted and the vehicle as well as the Kerosene were seized by the Inspector of Police, Civil Supplies C.I.D. Nilgiris District alleging that the petitioner, without any license, unauthorisedly transported kerosene.

3. The learned counsel appearing for the petitioner would submit that since the kerosene purchased is sought to be used in connection with the road contract work, it cannot be said that the petitioner has smuggled an essential commodity and prays for release of the Pickup van which was seized.

4. Per contra, Mr.R.Govindasamy, learned Special Government Pleader, on instructions, would submit that enquiry under Section 6A of the Essential Commodities Act has already been initiated and it is on the verge of completion and final orders are likely to be passed within a period of two weeks from today.

5. In the light of the above facts and circumstances, the respondent is directed to pass final orders in the proceedings initiated under Section 6A of the Essential Commodities Act within a period of two weeks from the date of receipt of a copy of this order and thereafter depending upon the result of the enquiry, the petitioner is at liberty to workout his remedy in accordance with law for the release of his vehicle.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jvm

To
The District Revenue Officer,
Ooty, The Nilgiris District.

+ 1 cc to C. Prakasam, Advocate Sr.34228

+ 1 cc to Government Pleader Sr.34105

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SNS (CO)
Eu 23.06.16

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