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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.04.2016

CORAM:
THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE C.T.SELVAM

W.A. (MD) No.552 of 2016
and
CMP (MD) No.3932 of 2016

1.The District Revenue Officer,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Civil Supplies Crime
Investigation Department,
Thanjavur.

.. Appellants/Respondents

Vs.

M.Kalaiselvi

.. Respondent/Petitioner

PRAYER: Writ Appeal is filed under Clause XV of Letters of Patent, against the common order, dated 03.05.2013, made in W.P.(MD) No.7962 of 2013.

Prayer in WP(MD). 7962/ 2013 :

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to release the Mini Van bearing Registration No. TN 55 X 0207, seized on 14.02.2013 by the second respondent to the petitioner.

For Appellant : Mr.D.Muruganandam
Government Advocate

For Respondent : Mr.D.Sadiq Raja

JUDGMENT

(The Judgment of the Court was delivered by
S.MANIKUMAR, J.)

The writ Court, in the order, dated 03.05.2013, made in W.P. (MD) No.7962 of 2013, at paragraph No.3, has passed the following order:-

"3. Considering the fact that in identical case, ~~the writ Court has~~ been issued to release the vehicle, this Court is inclined to follow the same direction in this Writ Petition. Accordingly, the vehicle namely, mini van bearing



Registration No.TN 55 X 0207 is directed to be given to the petitioner on the following conditions:

(i) The petitioner shall deposit a sum of Rs. 10,000/- (Rupees ten thousand only) with the first respondent within a period of one week from the date of receipt of a copy of this order.

(ii) On deposit of the said amount, the respondents are directed to release the vehicle on the following conditions:

The petitioner shall produce documents before the respondents to establish that he is the owners of the vehicle in question;

(iii) The petitioner shall execute an affidavit giving undertaking that he will not not alienate the vehicle in question for a period of three months or till the completion of the proceedings, if any, initiated against him.

(iv) The respondents are at liberty to initiate proceeding against the petitioner, if the petitioner has violated any of the provisions of the Acts or Rules. But the proceedings has to be taken, within a period of three months from the date of receipt of copy of this order. If no action is taken against the petitioner within the said period, the amount deposited by him shall be returned to him; and

(v) The petitioner shall abide by the orders passed by the authority concerned on the respondents."

2.Mr.D.Sadiq Raja, learned counsel for the respondent submitted that pursuant to the aforesaid directions, the subject matter of mini van bearing Registration No.TN 55 X 0207, has already been released.

3.In view of the fact that the vehicle had already been released, at this stage, after three years, we are not inclined to interfere with the order of the writ Court. Hence, this writ appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

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To

<https://hcservices.courts.gov.in/hcservices>
The District Revenue Officer,
Pudukkottai District,
Pudukkottai.



2.The Inspector of Police,
Civil Supplies Crime
Investigation Department,
Thanjavur.

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+1 cc to Special Government Pleader, SR No.20120

RG.JGB-DP/ 20.04.2016 3P.4C

Judgment delivered in
W.A. (MD) No.552 of 2016
and
CMP (MD) No.3932/2006
07.04.2016