



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.2017 of 2016

P.Yesudhasan

... Petitioner

Vs.

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to release the petitioner's Mini Bus bearing Registration TN-74-Y-2619 which was seized on 21.01.2016.

For Petitioner : Mr.A.C.Asaithambi

For Respondent : Mr.T.R.Janarthanam,

Additional Government Pleader,takes notice

ORDER

Heard the learned counsel appearing for the petitioner and Mr.T.R.Janarthanam, learned Additional Government Pleader, who takes notice on behalf of the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

2.The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, directing the respondent to release the petitioner's Mini Bus bearing Registration No.TN-74-Y-2619 seized on 21.01.2016.

3.In similar circumstances, this Court, by order dated 25.07.2011 in W.P.(MD).No.8110 of 2011 directed the respondents therein to release the vehicle, subject to certain conditions. The said order has been followed in W.P(MD)No.4548 of 2012 dated 12.04.2012.

4.Following the above said orders, the writ petition is disposed of with the following conditions:-

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

<https://hcservices.ecourts.gov.in/hcservices/> (ii) The petitioner shall produce documents before the respondent to establish the ownership of the vehicle in question;



(iii) The petitioner shall give an undertaking that he will not use the vehicle in a route not authorized to ply and shall produce the vehicle as and when required by the respondent;

(iv) On doing so, the vehicle in question shall be returned to the petitioner;

(v) The petitioner shall not alienate the vehicle in question, till the disposal of the proceedings before the authority concerned".

No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

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

sms

To

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

+1 cc to Mr.A.C.Asaithambi, Advocate, SR No.6274

+1 cc to Special Government Pleader, SR No. 6416

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RG.NGM-SS/SAR-I 03.02.2016 2P.4C