



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.22153 of 2016

A.Rajagopal

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi,
Thoothukudi District.

3.The Special Tahsildhar,
(Flying Squad),
Thoothukudi,
Thoothukudi District.

4.The Inspector of Police
CSCID,
Thoothukudi.

... Respondents

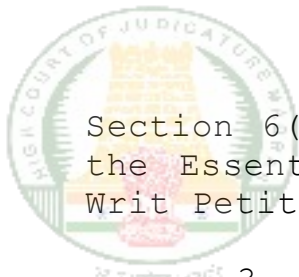
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to release the petitioner's lorry bearing Registration No.TN 38 AB 7555.

For Petitioner	: Mr.R.Balakrishnan,
For Respondents	: Mr. Anandharaj, Government Advocate.

ORDER

This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents to release the petitioner's lorry bearing Registration No.TN 38 AB 7555.

2. According to the petitioner, the vehicle has been seized by the third respondent and handed over to the fourth respondent on the ground that the petitioner transported 220 bags of PDS rice and, so far, no proceeding has been initiated under



Section 6(4) of TNSC(RDCS Order 1982 r/w Section 7(1) (a)(ii) of the Essential Commodities Act, 1995. Hence, he has filed this Writ Petition.

3. The learned Government Advocate appearing for the respondents on instructions submitted that already a criminal case has been registered against the petitioner and the vehicle was handed over to the fourth respondent.

4. In such circumstances, the prayer sought for by the petitioner, cannot be granted. Hence, this Writ Petition is dismissed with liberty to the petitioner to approach the Criminal Court seeking release of vehicle. No Costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1.The Distric Collector
Thoothukudi District
Thoothukudi

2.The District Revenue Officer
Thoothukudi
Thoothukudi District

3.The Special Tahsildhar
(Flying Squad)
Thoothukudi
Thoothukudi District.

4.The Inspector of Police
CSCID
Thoothukudi.

+1cc to Mr.R.Balakrishnan, Advocate, SR.No.71322

+1cc to Special Government Pleader, SR.No.70470

pm

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W.P (MD) No.22153 of 2016
18.11.2016