



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.2734 of 2016

S.Murugan

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

2.The Zonal Deputy Tahsildar,
Sivagiri Taluk,
Tirunelveli

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to release the petitioners Tipper Lorry bearing Registration No.TN-20-AW-5493 seized on 12.01.2016 by the 2nd respondent to him.

For Petitioner
For Respondents

: Mr.K.Seemaraj
: Mr.S.Satheeshkumar
Additional Government Pleader.

ORDER

Heard the learned counsel appearing for the petitioner and Mr.S.Satheeshkumar, 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 respondents to release the petitioner's Tipper Lorry bearing Registration No.TN-20-AW-5493 seized by the second respondent on 12.01.2016.

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 first respondent, within one week from the date of receipt of a copy of this order;

(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.

/True Copy/

Sd/-

Assistant Registrar(AS)

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Revenue Divisional Officer, Tenkasi, Tirunelveli District.

2. The Zonal Deputy Tahsildar, Sivagiri Taluk, Tirunelveli

+1cc to M/s.K.Seemaraj, Advocate in SR.7694

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SMS

PBK/JGB-DP/SAR-I 12/02/2016 ::2P-4C::