



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.02.2016

CORAM:

WEB COPY THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.3539 of 2016

Suresh Kumar

... Petitioner

Vs.

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

2.The Zonal Deputy Tahsildhar,
Sivagiri Taluk,
Tirunelveli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to release the petitioner's Hitachi bearing Model No.ZAXIS 120 seized on 12.01.016 by the second respondent to the petitioner.

For Petitioner : Mr.K.Seemaraj

For Respondents : Mr.S.Satheeshkumar,

Additional Government Pleader

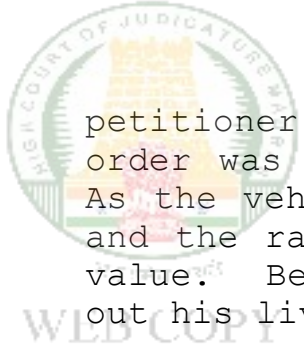
ORDER

Mr.S.Satheeshkumar, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the respondents to release the petitioner's Hitachi bearing Model No.ZAXIS 120 seized on 12.01.016 by the second respondent to the petitioner.

4. The learned counsel for the petitioner submitted that the above said vehicle belongs to the petitioner was seized by the second respondent on the ground that it was loaded with sand without any valid permit. Now the vehicle is in the custody of the first respondent. Therefore, the petitioner has made a representation to the first respondent on 13.01.2016 contending that what was loaded was only an agricultural wastage and the



petitioner is ready to pay the fine amount if any. However, no order was passed by the first respondent to release the vehicle. As the vehicle is kept without any use by exposing it to the sun and the rain for more than a month, the same is deteriorating in value. Besides, according to the petitioner, he has been eking out his livelihood with the said vehicle.

5. Under such circumstances, the first respondent is directed to consider the representation of the petitioner, dated 13.01.2016 and pass suitable orders on the same for release of vehicle, within a period of two weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

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

pm

To

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

2.The Zonal Deputy Tahsildhar,
Sivagiri Taluk,
Tirunelveli.

+1 cc to Mr.K.Seemaraj, Advocate, SR No.9900

+1 cc to Special Government Pleader, SR No.10150

RG.JGB-DP/AR-I 25.02.2016 2P/5C

W.P(MD)No.3539 of 2016

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