



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.3545 of 2016

S.Kathiresan

... Petitioner

Vs.

1.The Revenue Divisional Officer/Sub Collector,
Sub Collector Office,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Mudakulathur Police Station,
Ramanathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 1st Respondent to release the Petitioner's vehicle (Ashok Leyland Tipper Lorry) bearing Registration No.TN-59-AU-0550 based on the Petitioner's representation dated 15.02.2016 within the stipulated period by this Court.

For Petitioner	: Mr.D.Shanmugaraja Sethupathi
For Respondents	: Mr.S.Satheesh Kumar, 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 first respondent to release the petitioner's vehicle (Ashok Leyland Tipper Lorry) bearing Registration No.TN-59-AU-0550 based on the petitioner's representation dated 15.02.2016.

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 (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.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar.

To

1.The Revenue Divisional Officer/Sub Collector,
Sub Collector Office,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Mudakulathur Police Station,
Ramanathapuram District.

+1CC to Mr.D.Shanmugaraja Sethupathi,Advocate, SR.No. 9914.

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AM/19.02.2016/NGM.SS/AR-I/2P/4C