



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.4317 of 2016

R.Paul Raj

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tahsildar,
Thovalai Taluk,
Boothapandi,
Kanyakumari District.

3.The Inspector of Police,
Aralvaimozhi Police Station,
Aralvaimozhi,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to release the petitioner's vehicle namely Mahindra Tractor bearing registration No.TN-74-L-8006 and Trailer bearing registration No.TN-74-L-8014.

For Petitioner : Mr.R.Murugan
For Respondents : Mr.M.Murugan
Government Advocate.

ORDER

Heard the learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate, 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, to direct the second respondent to release the petitioner's vehicle namely, Mahindra Tractor bearing registration No.TN-74-L-8006 and Trailer bearing registration No.TN-74-L-8014.

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.

<https://hcservices.courts.gov.in/hcservices/>

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.25,000/- (Rupees twenty five thousand only) before the second 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(AS)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tahsildar,
Thovalai Taluk,
Boothapandi,
Kanyakumari District.

3.The Inspector of Police,
Aralvaimozhi Police Station,
Aralvaimozhi,
Kanyakumari District.

+One cc to Mr.R.Murugan, Advocate, SR.No.12033

sms

RL/5C/SK/SKN/9/3/2016

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