



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANAWrit Petition (MD) No.4364 of 2016

Ravikumar

... Petitioner

Vs.

1.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

3.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to release petitioner's Tractor and Trailer bearing Registration No. TN-72-E-7144 and TN-72-E-7143 seized on 24.10.2015 by the 3rd respondent to the petitioner.

For Petitioner : Mr.D.Venkatesh

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, to direct the respondents to release petitioner's Tractor and Trailer bearing Registration No.TN-72-E-7144 and TN-72-E-7143 seized on 24.10.2015 by the third respondent to the petitioner.

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 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 (R)

/True Copy/

Sub-Assistant Registrar

To

1. The Sub Collector,
Cheranmahadevi,
Tirunelveli District.
2. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.
3. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.12438

+One cc to M/s.D.Venkatesh, Advocate, SR.No.12186

sms

RL/6C/SK/SKN/SARI/9/3/2016

Writ Petition (MD) No.4364 of 2016