



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.04.2016

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.8656 of 2016

P.Vijayakumar

... Petitioner

Vs.

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to release the petitioner's Mini Bus bearing Registration No.TN 74Z 8249 which was seized on 23.04.2016.

For Petitioner : Mr.A.C.Asaithambi
For Respondent : Mr.M.Murugan,
Government Advocate

ORDER

Mr.M.Murugan, learned Government Advocate takes notice for the respondent.

2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed praying for a Writ of Mandamus directing the respondent to release the petitioner's Mini Bus bearing Registration No.TN 74Z 8249 which was seized on 23.04.2016.

4. In similar circumstances, this Court, by an order dated 25.07.2011 in W.P(MD)No.8110 of 2011, directed the respondent 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.

5. 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 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;

<https://hcservices.ecourts.gov.in/hcservices/>
(iii) the petitioner shall give an undertaking that he will not use the vehicle in a route not authorised 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 (CSII)

/True Copy/

Sub-Assistant Registrar

To

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

+One cc to M/s.A.C.Asaithambi, Advocate, SR.No.25045

+One cc to The Special Government Pleader, SR.No.24697

pm

RL/4C/2P/JGB/DP/5/5/2016

W.P(MD)No.8656 of 2016

28.04.2016