

In the High Court of Judicature at Madras

Dated: 09.01.2017

Coram

The Honourable Mr.JUSTICE RAJIV SHAKDHER

Writ Petition No.590 of 2017

M.Manikandan

.... Petitioner

Vs.

1. The Revenue Divisional Officer,
Cheyyar, Thiruvannamalai District.
2. The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District. Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to release the Lorry bearing Registration No.TN22BB 5951 which was seized by the 2nd respondent on 23.12.2016 and thereby consider the representation dated 27.12.2016.

For Petitioner : Mr.D.Raja

For Respondents: Mr.Akhil Akbar Ali, G.A.

ORDER

1. Issue notice. Mr.Akhil Akbar Ali, accepts notice on behalf of the respondents.

1.1. With the consent of the counsels for parties, the Writ Petition is taken up for hearing and final disposal.

2. The limited direction that the petitioner seeks is, that, his representation dated 27.12.2016 be decided by the respondent.

3. The record, as filed, shows that the petitioner claims that his lorry bearing Registration No.TN 22 BB 5951 was seized on the allegation that he was illegally ferrying sand without any valid bill or permit of the concerned authorities.

3.1. It is, however, the case of the petitioner that the sand was meant for personal use and, therefore, would not fall within the purview of Tamil Nadu Minor Mineral Concession Rules,

1959 (in short the '1959 Rules'). In this behalf, the petitioner seeks to rely upon Rule 6 of the 1959 Rules.

3.2. The petitioner says that the aforementioned lorry was seized by respondent No.2 on 23.12.2016. It is stated that a representation has been made to respondent No.1 for release of the vehicle, on 27.12.2016, despite which, there has been no movement in the matter.

4. Accordingly, the Writ Petition is disposed of with a direction to respondent No.1 to dispose of the petitioner's representation dated 27.12.2016, with due expedition, though, not later than 12.01.2017. The representation will be disposed of via a speaking order.

4.1. For this purpose, the petitioner will appear before respondent No.1 on 11.01.2017 at 11.00 a.m.

5. There will be no order as to costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1. The Revenue Divisional Officer,
Cheyyar, Thiruvannamalai District.
2. The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.

+1 cc to mr.G.Punniyakotti,advocate,sr.1857.

rv(co)
krd 9/1

Writ Petition No.590 of 2017

WEB COPY