

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2017

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.11477 of 2017

R.Revathi
W/o.G.Ravi

.. Petitioner

-vs.-

The District Revenue Officer
Salem, Salem District.

.. Respondent

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying this Court for issuance of Writ of Mandamus directing the respondent to release the TVS-50 bearing Registration No.TN-54-L-9367 seized by the Inspector of Police, Civil Supplies CID, Salem, Salem District on 17.04.2017 to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.Dhananjayan,
Special Govt. Pleader

O R D E R

The petitioner has come up with the present writ petition seeking for issuance of Writ of Mandamus directing the respondent to release the TVS-50 bearing Registration No.TN-54-L-9367 seized by the Inspector of Police, Civil Supplies CID, Salem, Salem District on 17.04.2017 to the petitioner.

2.The petitioner is the owner of the TVS-50 bearing registration No. TN-54-L-9367. The said vehicle was seized by the respondent for transporting 2 bags of PDS rice illegally and hence, the petitioner has come up with the present writ petition.

3.Taking into consideration the relief sought for and the earlier orders passed by this Court in W.P.No.22972/2012, dated

23.08.2012, the respondent is directed to release the vehicle subject to the following conditions:

- (a) The petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) in cash before the respondent.
- (b) The petitioner shall produce the documents relating to the ownership of the vehicle.
- (c) The petitioner shall file an undertaking that she will produce the vehicle in question before the respondent as and when called for and that she will not alienate the vehicle in question till the proceedings initiated are completed.
- (d) On compliance of the above conditions, the respondent is directed to release the vehicle to the petitioner within three days.
- (e) The respondent is directed to pass final orders in the adjudication proceedings, within a period of two months.
- (f) This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of criminal court. If the vehicle is in the custody of the criminal court, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law.

4. The writ petition is disposed of subject to the above conditions. No costs.

-s/d-
Assistant Registrar/VO(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The District Revenue Officer
Salem District
Salem

+1 CC to Mr.C. Prakasam, Advocate sr 36925

+1 CC to Govt. Pleader sr 36916

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