

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.23849 of 2017

and

W.M.P.No.25083 of 2017

1. P.Poovizhi

2. M.Palani

... Petitioners

Vs

1. State rep.by The Inspector of Police,
E-5, Chozhavaram Police Station,
Thiruvallur, Thiruvallur District.

2. The Inspector of Police,
M-1, Madhavaram Police Station,
Madhavaram, Chennai-600 060.

3. The Deputy Superintendent of Police,
Chozhavaram Range, Ponneri,
Thiruvallur District.

4. The Assistant Commissioner of Police,
Madavaram Range, Madavaram,
Chennai - 600 060.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the 1st respondent to return the TATA ACE vehicle bearing Registration No.TN18 AL 3263, UNICORNBike bearing Registration No.TN18 AM 0113 and Hero Honda CD Dawn DLX bearing Registration No.TN 22 AL 4379 as it was seizure on 09.08.2017.

For Petitioner : Dr.G.Krishnamurthy

For Respondents: Mr.D.Vairamoorthy
Special Government Pleader

O R D E R

By consent of both the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to direct the first respondent to return the vehicles namely the TATA ACE vehicle bearing Registration No.TN18 AL 3263, UNICORNBike bearing Registration No.TN18 AM 0113 and Hero Honda CD Dawn DLX bearing Registration No.TN 22 AL 4379 which were seized by the respondent.

3. When the matter was called, the learned Special Government Pleader submitted that the case in F.I.R.No. 618 of 2017 dated 13.08.2017 has been registered under section 102 of Cr.P.C.

4. On a perusal of the F.I.R., it is seen that the vehicles which are claimed by the petitioners were abandoned on the road and the respondent police had taken possession of the same and handed it over to the Tahsildar, Ponneri.

5. There is nothing on record to show that these vehicles were involved in criminal proceedings. The Sub-Inspector of Police, Chozhavaram who is personally present in this Court also submitted that if the petitioners approach him with the request to return all the vehicles, the same will be considered.

6. Recording the said submissions made by the Sub-Inspector of Police, Chozhavaram Police Station, Thiruvallur District, the writ petition is ordered with liberty to the petitioner to make out the appropriate petition seeking for the return of the following vehicles namely:

1. TATA ACE - Registration No.TN18 AL 3263
2. UNICORNBike - Registration No.TN18 AM 0113
3. Hero Honda CD Dawn DLX - Registration No.TN 22 AL 4379

7. On such a representation being made, the first respondent shall forthwith consider the same and return the vehicle to the petitioners. Such exercise shall be completed with a period of one week from the date of such representation.

8. With the above observations, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cgi/arr

To

1. The Inspector of Police,
E-5, Chozhavaram Police Station,
Thiruvallur, Thiruvallur District.
 2. The Inspector of Police,
M-1, Madhavaram Police Station,
Madhavaram, Chennai-600 060.
 3. The Deputy Superintendent of Police,
Chozhavaram Range, Ponneri,
Thiruvallur District.
 4. The Assistant Commissioner of Police,
Madavaram Range, Madavaram,
Chennai - 600 060.
- +1cc to Mr.J.B.Solomon Peter Kamaldoss, Advocate SR.No.66565

W.P.No.23849 of 2017

GR(CO)
GN(26/09/2017)



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