



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.01.2017
CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P.(MD) Nos.152 and 154 of 2017

1. C.M.Anisha ... Petitioner in W.P.(MD) No.152 of 2017
2. A.Chellan ... Petitioner in W.P.(MD) No.154 of 2017

-vs-

The Regional Transport Officer,
Marthandam,
Kanyakumari District. ... Respondent in both WPs.

Prayer in W.P.(MD) No.152 of 2017: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to release the petitioner's Mini Bus bearing Regn.No.TN-74U 3136, which was seized on 26.12.2016.

Prayer in W.P.(MD) No.154 of 2017: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to release the petitioner's Mini Buses bearing Regn.Nos.TN-75J 7065, TN-74Y 3054 and TN-75 5673.

For Petitioners : Mr.A.C.Asaithambi
For Respondent : Mr.A.K.Baskarapandian
Spl. Govt. Pleader

O R D E R

These petitions have been filed, seeking to direct the respondent to release the petitioners' Mini Buses bearing Regn.Nos.TN-75J 7065, TN-74Y 3054, TN-75 5673 and TN-74U 3136.

2. Heard the learned counsel on either side.

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 my previous judgment dated 23.12.2016 passed in W.P.(MD) No.24949 of 2016.

4. Following the above said orders, these Writ Petitions are disposed of with the following conditions:

<https://hcservices.ecourts.gov.in/hcservices/>

i) The petitioners shall produce documents before the respondent to establish the ownership of the vehicles in question;



ii) The petitioners shall give an undertaking that they will not use the vehicles in a route not authorized to ply and shall produce the vehicles as and when requested by the respondent;

iii) On doing so, the vehicles in question shall be returned to the petitioners;

iv) The petitioners shall not alienate the vehicles in question till the disposal of the proceedings before the authority concerned. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

+2cc to Mr.A.C.Asaithambi, Advocate Sr.NoS.1904 &1903
+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.1796

W.P. (MD) Nos.152 and 154 of 2017
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