



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.24010 of 2017

Balu

... Petitioner

Vs.

1.The District Collector,
Pudukottai,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai,
Pudukottai District.

3.The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.

4.The Inspector of Police,
Thirukokarnam Police Station,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to release the Lorry bearing Registration No.TN-63-S-5026 seized by the third respondent on 08.12.2017 to the petitioner.

For Petitioner : Mr.A.V.Rajasekaran

ORDER

The petitioner seeks release of his lorry, bearing Registration No.TN-63-S-5026, that was seized on 08.12.2017 by the third respondent, on account of violation of the Mining Laws.

2. Heard the learned Counsel appearing for the petitioner.

3. In my considered view, keeping the vehicle in the custody of the respondents will not serve any purpose.

4. Accordingly, the third respondent is directed to release the vehicle to the petitioner forthwith subject to the following conditions:



"(i) The petitioner shall produce the documents before the third respondent to establish the ownership of the vehicle in question;

(ii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) before the third respondent;

(iii) The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondents;

(iv) On doing so, the vehicle in question shall be returned to the petitioner; and

(v) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned;

(vi) The petitioner is also directed to participate in the enquiry to be conducted by the respondents."

5. This Writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Pudukottai,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai,
Pudukottai District.

3.The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.

4.The Inspector of Police,
Thirukokarnam Police Station,
Pudukottai District.

+1CC to Mr.A.V.Rajasekaran, Advocate, SR.No. 94576

+1CC to the Special Government Pleader SR.No.94919

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