



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) Nos.18533 to 18536 and 18538 to 18540 of 2017

VEERAMMA DEVI

... Petitioner(s) in WP(MD). 18533/ 2017

S.SELVAKARUPPU

... Petitioner(s) in WP(MD). 18534/ 2017

J.VEERASANGU

... Petitioner(s) in WP(MD). 18535/ 2017

A.PANDI

... Petitioner(s) in WP(MD). 18536/ 2017

R.CHANDRA

... Petitioner(s) in WP(MD). 18538/ 2017

M.KUMANAN

... Petitioner(s) in WP(MD). 18539/ 2017

R.MAYALAGU

... Petitioner(s) in WP(MD). 18540/ 2017

- Vs. -

1 THE REVENUE DIVISIONAL OFFICER, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

2 THE INSPECTOR OF POLICE, PARTHIBANOOR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

... Respondents (in all writ petitions)



Prayer in WP(MD). 18533/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorry bearing Reg.No. TN-69-AX-5412 & TN-63-AD-8773 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.

Prayer in WP(MD). 18534/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorries bearing Reg.Nos. TN-63-AH-2050 & TN-63-AH-2113 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.

Prayer in WP(MD). 18535/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorry bearing Reg.No. TN-63-AK-0676 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.

Prayer in WP(MD). 18536/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorry bearing Reg.No. TN-67-H-6840 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.

Prayer in WP(MD). 18538/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorry bearing Reg.No. TN-63-AC-6104 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.

Prayer in WP(MD). 18539/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorry bearing Reg.No. TN-63-AD-4333 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.



Prayer in WP(MD). 18540/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondent to release the petitioners Dipper Lorry bearing Reg.No. TN-22-BL-9207 seized on 26.09.2017 by the 2nd respondent by considering the petitioners representation dated 27.09.2017.

For all Petitioners : Mr.D.Senthil
For Respondents : Mr.J.Gunaseelan Muthiah
in all petitions Govt. Advocate

C O M M O N O R D E R

The petitioners seek for a Writ of Mandamus directing the 1st respondent to release the petitioners' vehicles, which were seized on 26.09.2017 by the 2nd respondent, by considering their representations dated 27.09.2017.

2. According to the petitioners, even though the petitioners have plied the vehicles with all relevant documents, the 2nd respondents has seized the vehicle.

3. On the other hand, it is submitted by the learned Government Advocate appearing for the respondents that the vehicles were seized as it was plying without valid papers including registration certificate book and transport permit for transporting sand.

4. In any event, as the vehicles are under the custody of the second respondent, having been seized on 26.09.2017 and considering the fact that if the same are allowed to be kept idle by exposing the same to sun and rain, it would certainly diminish its value. Therefore, pending proceedings before the respondents, this Court is of the view that all the vehicles can be released by imposing conditions on the petitioners for release of the said vehicles.

5. Accordingly, the first respondent is directed to release all the vehicles in question to the respective petitioners, which are entrusted to the second respondent for custody, within a period of 7 days, subject to the following conditions:

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

(ii)The petitioners shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) per

<https://hcservices.ecourts.gov.in/hcservices> before the first respondent

(iii)The petitioners shall give an undertaking that they will not use the vehicles for any illegal



activities in future and shall produce the same as and when required by the respondents;

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

(v) The petitioners shall not alienate the vehicles in question till the disposal of the proceedings before the authority concerned."

6. These Writ petitions are ordered accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2. The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.

+7cc to M/S. D.SENTHIL, Advocate, SR.No.81889, 81890, 81891, 81893, 81894, 81895, and 81896.

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SDS/SV:MMS/SAR 1/06.10.2017/4P/10C