



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.10.2017

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No.18689 of 2017

P.Sathya

... Petitioner

-vs-

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Vedasandur Taluk,
Vedasandur,
Dindigul District.

3.The Zonal Deputy Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul 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-34-Z-6493 seized on 19.09.2017 and hand over the same to the petitioner.

For Petitioner : Mr.C.Arul Vadivel @ Sekar

For Respondents : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

O R D E R

The petitioner seeks for a Writ of Mandamus directing the respondents to release her vehicle bearing registration No.TN-34-Z-6493, seized on 19.09.2017 and hand over the same to her.

2.According to the petitioner, her lorry bearing registration No.TN-34-Z-6493 was seized by the third respondent, who is not a competent authority and the vehicle was not involved in any offence.

3.On the other hand, it is submitted by the learned Additional Government Pleader appearing for the respondents that the vehicle was found in possession of lime stones without any valid permit and was seized.

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

4.In any event, as the vehicle is under the custody of the



second respondent, having been seized on 19.09.2017 and considering the fact that if the same is 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 the vehicle can be released by imposing conditions on the petitioner for release of the said vehicle.

5. Accordingly, the second respondent is directed to release the vehicle in question to the petitioner within a period of 7 days, subject to the following conditions:

"(i) The petitioner shall produce documents before the second 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 first respondent;

(iii) The petitioner shall give an undertaking to the second respondent 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 by the 2nd respondent; and

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

6. This Writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Dindigul District, Dindigul.
2. The Tahsildar,
Vedasandur Taluk,
Vedasandur, Dindigul District.
3. The Zonal Deputy Tahsildar,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.

+1cc to Mr. C. ARUL VADIVEL @ SEKAR, Advocate, SR. 82023

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