



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD) Nos.19021 to 19024 of 2017

- | | | |
|--------------|-------------------|------------------------|
| 1. S.Murugan | ... Petitioner in | W.P.(MD) No.19021/2017 |
| 2. B.Rajaram | ... Petitioner in | W.P.(MD) No.19022/2017 |
| 3. R.Jeyapal | ... Petitioner in | W.P.(MD) No.19023/2017 |
| 4. V.Pandian | ... Petitioner in | W.P.(MD) No.19024/2017 |

-vs-

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

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

... Respondents

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to release the petitioners' vehicles i.e., Tipper Lorries bearing Registration Nos.TN-36-R-6388, TN-59-AP-2318, TN-65-AB-8116 & TN-65-Z-3813 within the time that may be stipulated by this Hon'ble Court.

For all Petitioners : Mr.B.Saravanan
For Respondents : Mr.J.Gunaseelan Muthiah
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 vehicles of the petitioners, namely, Tipper Lorries bearing Registration Nos.TN-36-R-6388, TN-59-AP-2318, TN-65-AB-8116 & TN-65-Z-3813 respectively.

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

3. On the other hand, it is submitted by the learned Government Advocate appearing for the respondents that the vehicle was 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 06.10.2017 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 within a period of 7 days, subject to the following conditions:

"(i) The petitioners shall produce documents before the first 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 vehicle 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(C.O.)

/True Copy/

Sub Assistant Registrar.

To:

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

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

+4CC to Mr.B.Saravanan, Advocate, SR.No. 82484,82480,82485 and
82479

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