



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.10.2017

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.19422 of 2017

WEB COPY

M.Murugesan

... Petitioner

vs.

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

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

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to release the petitioner's vehicle i.e., Tipper Lorry bearing Registration No.TN 60 S 0155 within the time limit that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.M.Alagadevan

Special Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus, directing the 1st respondent to release his vehicle i.e., Tipper Lorry bearing Registration No.TN 60 S 0155 within the time limit that may be stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.The grievance of the petitioner is that the said vehicle was not involved in any offence as alleged by the respondents and it was used only for lawful purpose. Therefore, for the release of the said vehicle, the present Writ Petition is filed.

4.In my considered view, all these contentions raised by the petitioner cannot be gone into by this Court at this stage. However, if the vehicle seized 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.

5. Accordingly, the respondents are directed to release the petitioner's vehicle bearing Registration No. TN 60 S 0155 within seven days subject to the following conditions:-

(i) The petitioner shall produce documents before the 1st 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) with the first respondent;

(iii) The petitioner shall give an undertaking that he will not use the vehicle in question for any illegal activities in future and shall produce the vehicle 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.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

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

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

+1cc to Mr. B. SARAVANAN, Advocate, SR. 82989

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BALA

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