



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2017

CORAM

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD) No.20758 of 2017

R.Jeyakaran

... Petitioner

Vs.

1.The District Collector
Trichy District, Trichy.

2.The Revenue Divisional Officer
Revenue Divisional Office,
Srirangam Taluk,
Trichy District.

3.The Inspector of Police,
Srirangam Police Station,
Trichy 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 Vehicle (TATA 407) bearing Registration No.TN-76E-6723, Chassis No.MAT35760198D08558 to the Petitioner by considering the Petitioner's representation dated 24.10.2017.

For Petitioner : Mr.S.Vinayak
For Respondents : Mr.M.Alagathevan,
Special Government Pleader

ORDER

The petitioner seeks for a Writ of Mandamus directing the respondents to release petitioner's vehicle (TATA 407) bearing Registration No.TN-76E-6723, seized by the third respondent on 03.10.2017.

2. According to the petitioner, even though the petitioner has plied the said vehicle with all relevant documents, the third respondent seized the vehicle on 03.10.2017.

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



4. In any event, as the vehicle is under the custody of the third respondent, having been seized on 03.10.2017 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 second 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."

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector
Trichy District, Trichy.

2. The Revenue Divisional Officer
Revenue Divisional Office,
Sourangas Taluk,
Trichy District.



3.The Inspector of Police,
Srirangam Police Station,
Trichy District.

+1cc to Special Government Pleader, SR.No. 89893

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RM
JM/SKN RSK/SAR 4/28.11.2017/3P/5C