



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD) No.21348 of 2017

K.Thiru @ Renganathan

... Petitioner

-vs-

1. The Tahsildar,
Manachanallur Taluk,
Trichy District.

2. The Inspector of Police,
Kollidam Police Station,
Trichy District.
Crime No.611 of 2017.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to release my vehicle 407 Mahendra Load King bearing registration No.TN 59 AT 7134.

For Petitioner : Mr.M.Boopathi Pandiyan
For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the respondents to release the vehicle viz., 407 Mahendra Load King bearing registration No.TN-59-AT-7134.

2.The learned counsel appearing for the petitioner submitted that the vehicle in question has not been used for illegal transportation. But, the second respondent has erroneously seized the vehicle on 05.10.2017 and now, the same is under his custody.

3.The learned Special Government Pleader appearing for the respondents submitted that the vehicle in question was found in possession of river sand without any valid permit and hence, it was seized.

4.In any event, as the vehicle is under the custody of the second respondent, having been seized on 05.10.2017 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 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 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 second 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 (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Manachanallur Taluk,
Trichy District.
2. The Inspector of Police,
Kollidam Police Station,
Trichy District.

+ 1 CC TO Mr.M.BOOPATHIPANDIAN, ADVOCATE IN SR No. 88241
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 89082

MJ

TE/SKN-RSK/SAR-1 : 30/11/2017 : 2P/5C

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