



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.21803 of 2017

S.Ravichandran

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Ramanathapuram.

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

... Respondents

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 petitioner's Lorry bearing Registration No.TN-70-K-7545 seized on 23.11.2017 by the second respondent, to the petitioner.

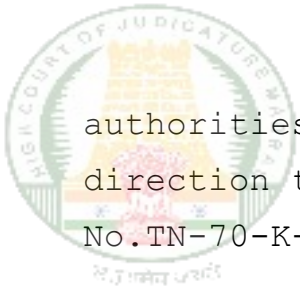
For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate

ORDER

By consent, this writ petition is taken up for final disposal, at the stage of admission itself.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the respondents.

3. The case of the petitioner is that though he plied his vehicle with all valid documents, the second respondent police, on 23.11.2017, seized his vehicle, as if he was transporting Savudu Soil without any permission. Aggrieved by this action of the



authorities, the petitioner is before this Court, seeking a direction to release his vehicle, namely, Lorry bearing Registration No.TN-70-K-7545.

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4. On the other hand, the learned Government Advocate stoutly refuted the contentions of the learned Counsel for the petitioner, but he fairly submitted that the vehicle of the petitioner may be released, but stringent conditions may be imposed for stopping such occurrence, in future.

5. Considering the facts and circumstances of the case and in view of the fact that the vehicle in question is kept without any use by exposing it to sun and rain, it would certainly lose its value, the respondents are directed to release the vehicle in question to the petitioner on the following conditions:

"(i)The petitioner shall produce necessary documents before the respondents to establish and to prove his 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 or any other vehicle for any illegal activities and also he will not indulge in such activities in future;

(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."



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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Ramanathapuram.
2. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

+1cc to M/S.T.LENIN KUMAR, Advocate SR.No.89517.

W.P. (MD) No.21803 of 2017
27.11.2017

gk

SDS/SKN:RSK/SAR 2/28.11.2017/3P/4C