

**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.21825 of 2017

A.Muneeswaran

... Petitioner

Vs.

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

2.The Inspector of Police,  
Thiruppalaikkudi Police Station,  
Thiruppalaikkudi, Thiruvadanai Taluk,  
Ramanathapuram 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 petitioner's vehicle Tractor bearing Registration No. TN-65-F-1829 and Trailer bearing Registration No.TN-65-F-1842.

For Petitioner : Mr.V.K.Saravanan  
For Respondents : Mr.M.Alagathevan,  
Special Government Pleader

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**ORDER**

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

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents.

3. The case of the petitioner is that though he used to transport the top soil from one of his lands to his another land, the respondent police interfered and seized his vehicle, as if he was illegally transporting sand. Aggrieved by this action of the authorities, the petitioner is before this Court, seeking a direction to release his vehicle, namely, Tractor, bearing Registration No.TN-65-F-1829 and Trailer, bearing Registration No.TN-65-F-1842.

4. On the other hand, the learned Special Government Pleader 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."

6. This Writ petition is ordered accordingly. 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,  
Thiruppalaikkudi Police Station,  
Thiruppalaikkudi, Thiruvadanai Taluk,  
Ramanathapuram District.

+1cc to Mr.V.K.SARAVANAN Advocate in SR. No. 89404

GK

JS/SKN.RSK/SAR.2/27.11.2017/2P-4C

**W.P. (MD) No.21825 of 2017**

**27.11.2017**