



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.02.2017
CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD).No.2277 of 2017

WEB COPY

Somasundaram

... Petitioner

Vs.

1.The Sub Collector,
Office of the Sub Collectorate,
Kumbakonam,
Thanjavur District.

2.The Inspector of Police,
Tiruppananthal Police Station,
Thanjavur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to release the petitioner tractor bearing Regn.No.TN 68A 7639 and within the stipulated period of time.

For Petitioner : Mr.B. Jameel Arasu
For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

The prayer in the Writ Petition for a direction to the respondents, to release the petitioner's Tractor bearing Regn.No.TN 68A 7639.

2. By the consent of counsel for both sides, the Writ Petition is taken up for disposal.

3. In identical circumstances, this Court in the W.P(MD). No.11382 of 2016 had passed orders directing the respondent to release of vehicle on following conditions:-

"(i) The petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash before the respondent.

(ii) The petitioner shall produce the documents to the ownership of the vehicle.

(iii) The petitioner shall file undertakings that he will produce the vehicle in question before the respondent as and when called for and that he will not

initiate the vehicle in question till the proceedings initiated are completed.



(iv) On compliance of the above conditions, the respondent is directed to release the vehicle to the petitioner within two days.

(v) The respondent is directed to pass final orders in the adjudication proceedings, within a period of four months.

(vi) This order for release of the vehicle can be availed of by the petitioner if no criminal case is pending against the alleged delinquency. If any criminal case is pending, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law."

4. The petitioner is also identically placed as that of the petitioner in the above Writ Petition. Under such circumstances, there shall be a direction to the first respondent to release the Tractor bearing Regn.No.TN 68A 7639, within a period of one week from the date of receipt of a copy of this order, on fulfilling the above said conditions.

5. This Writ Petition shall stand disposed of subject to the above said conditions. No costs.

Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Sub Collector,
Office of the Sub Collectorate,
Kumbakonam,
Thanjavur District.
- 2.The Inspector of Police,
Tiruppananthal Police Station,
Thanjavur District.

+1 cc to MR.B.JAMEEL ARASU, ADVOCATE, SR NO:7686
+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO: 7920

TRP

MS RSK SAR1 16.02.2017 2P 5C

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