



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD) No.23110 of 2017

Pandi

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

2.The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to release the petitioner's Lorry bearing Registration No.TN-45-AT-0040 seized on 18.11.2017 by the second respondent, to the petitioner.

For Petitioner : Mr.C.Suresh Kannan,
For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

ORDER

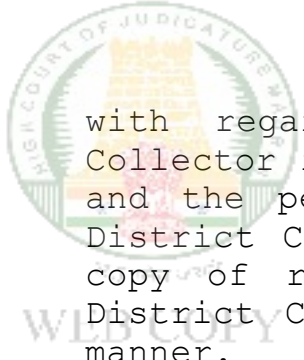
The petitioner seeks for a Writ of Mandamus directing the first respondent to release petitioner's Lorry bearing Registration No.TN-45-AT-0040, seized by the second respondent on 18.11.2017.

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the writ petition is taken up for final disposal.

4. The main grievance of the petitioner is that even though the petitioner has plied the said vehicle with all relevant documents, the second respondent seized the vehicle on 18.11.2017.

5. Per contra, the learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioner was seized as it was plying without valid papers including Registration Certificate book and Transport Permit for transporting lime stones. He further submitted that



with regard to transportation of lime stones, the District Collector is the competent authority to pass orders in this matter and the petitioner has not submitted any representation to the District Collector. In the event of the petitioner forwarding a copy of representation along with supporting documents to the District Collector, the same will be considered in a time bound manner.

6. Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of petitioner's claim, directs the petitioner to submit a copy of representation dated 11.12.2017, with all necessary documents, along with a copy of this order to the District Collector forthwith and on such filing, the District Collector shall consider the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of two weeks thereafter.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

2.The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.

3.The District Collector,
Virudhunagar District.

+1cc to M/S.C.Suresh Kannan, Advocate SR.No. 93970

W.P. (MD) No.23110 of 2017
20.12.2017

RM

JM/SV MMS/SAR 3/21.12.2017/2P/5C