



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.23522 of 2017

S.Pandiammal

... Petitioner

-vs-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent herein to conduct the enquiry expeditiously in accordance with law and release the petitioner vehicle model M.F.241 DI MAHASAKTHI bearing Reg.No.TN65-M-5522 forthwith within a stipulated time period on basis of the representation dated 18.12.2017.

For Petitioner : Mr.A.Ramalingam
For Respondent : Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondent herein to conduct the enquiry expeditiously in accordance with law and release the petitioner vehicle model M.F.241 DI MAHASAKTHI, bearing Reg.No.TN65-M-5522 forthwith within a stipulated time period on basis of the representation dated 18.12.2017.

2. According to the petitioner, even though the petitioner has plied the said vehicle with all relevant documents, the Inspector of Police, Erwadi seized the vehicle and handed over the same to the custody of the respondent. It is further submitted that there was no bad antecedent committed by the petitioner with the use of the very same vehicle.

3. On the other hand, it is submitted by the learned Special Government Pleader appearing for the respondent that the vehicle was seized, as the same was plied without valid papers, including registration certificate book and transport permit for transporting sand.



4. In any event, as the vehicle is under the custody of the respondent, having been seized on 22.11.2017 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 respondent, 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 respondent is directed to release the vehicle in question to the petitioner within a period of seven days, subject to the following conditions:

"(i) The petitioner shall produce documents before the 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 respondent;

(iii) The petitioner shall give an undertaking to the respondent that she will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondent;

(iv) On doing so, the vehicle in question shall be returned to the petitioner by the respondent;

(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 (RTI)

/True Copy/

Sub Assistant Registrar

To:

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

+ 1 CC TO Mr.A.RAMALINGAM, ADVOCATE IN SR No. 93795

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TE/SV-MMS/SAR-3 : 21/12/2017 : 2P/3C