



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.24021 of 2017

Gunasekaran

... Petitioner

Vs.1. The Sub Collector,
Devakottai.2. The Inspector of Police,
Sadurvedha Mangalam Police Station,
Sivagangai 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 petitioners' vehicles Lorry bearing Registration Nos.TN-47-AS-7103 and TN-47-AF-4885 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.RM.Arun Swaminathan
For Respondents : Mr.M.Alagathevan,
Special Government Pleader

ORDER

The petitioner seeks release of his lorries, bearing Registration Nos.TN-47-AS-7103 and TN-47-AF-4885, that were seized on 14.11.2017 by the second respondent, on account of violation of the Mining Laws.

2. Heard the learned Counsel on both sides.

3. In my considered view, keeping the vehicles in the custody of the respondents will not serve any purpose.

4. Accordingly, the respondents are directed to release the vehicles in question to the petitioner forthwith subject to the following conditions:

"(i) The petitioner shall produce the documents before the respondents to establish the ownership of the vehicles in question;

(ii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) each,



before the first respondent;

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

(iv) On doing so, the vehicles in question shall be returned to the petitioner; and

(v) The petitioner shall not alienate the vehicles in question till the disposal of the proceedings before the authority concerned;

(vi) The petitioner is also directed to participate in the enquiry to be conducted by the respondents."

5. This Writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Collector,
Devakottai.

2. The Inspector of Police,
Sadurvedha Mangalam Police Station,
Sivagangai District.

+ 1 CC TO Mr.RM.ARUN SWAMINATHAN, ADVOCATE IN SR No. 94672

GK

TE/SV-MMS/SAR-3 : 26/12/2017 : 2P/4C

W.P. (MD) No.24021 of 2017
22.12.2017