



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.05.2017

CORAM:

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN

W.P.(MD)No.9475 of 2017

N.Mohan

...Petitioner

Vs.

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

2.The Inspector of Police,
Nachiyar Kovil Police Station,
Thanjavur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to release the petitioner's tractor bearing Registration No.TN-68-0328 within a time stipulated by this Court.

For petitioner : Mr.B.Jameel Arasu

For Respondents : Mrs.S.S.Bharathi
Government Advocate

O R D E R

The petitioner has come forward with this Petition praying to direct the respondent herein to release the petitioner's tractor bearing Registration No.TN-68-0328 within a time stipulated by this Court.

2. It is the case of the petitioner that while he was loading agricultural crops in agricultural fields on 29.04.2017, the subordinates of the first respondent and Sub Inspector of Police, Nachiyar Kovil Police Station along with four constables seized the vehicle illegally without giving any reason to the petitioner. According to the petitioner, so far, no proceeding was initiated against the petitioner under the Act.

3. The learned counsel for the respondents who took notice and contended that in similar matter, this Court has released the vehicle in question with stringent conditions and the same conditions may also be imposed in this case also.



4. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

5. In view of above, I am inclined to direct the concerned respondents to release the vehicle in question to the petitioner on the following conditions:-

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

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

(iv) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned.

6. In the result, the Writ Petition is ordered accordingly. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Nachiyar Kovil Police Station,
Thanjavur District.

+1cc to M/s. B.JAMEEL ARASU Advocate in SR. No.57308

+1cc to SPECIAL GOVERNMENT PLEADER in SR. No.57673

SM/TA/RR

JS/SV/SAR.4/30.05.2017/2P-5C

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