



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD) No.23517 of 2016 and
WPMP(MD).No.16886 of 2016

S. Anand

: Petitioner

Vs.

1. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Periyakulam, Theni District..

2. The Assistant Director,
O/o. The Assistant Director,
Department of Geology and Mines,
District Collectorate Complex,
Theni.

: Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorified Mandamus to call for the records pertaining to the impugned order in Na.Ka.NO.56/Kaniman /2016, dated 07.11.2016 on the file of the respondent no.2 and quash the same as illegal and consequently for a direction directing the respondents to release the petitioner's vehicle viz., Tractor bearing Regn. No.TN 49 M 3547 with rough stones.

For Petitioner : Mr. T. Lajapathi Roy

For Respondents : Mr. C. Selvaraj

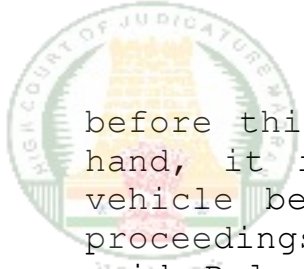
Special Government Pleader

O R D E R

The petitioner is aggrieved against the proceedings of the second respondent, dated 07.11.2016 wherein whereby petitioner's Tractor bearing Regn.No. TN 49 M 3547 was seized, further, by communicating that proceedings against the petitioner would be initiated and compounding fee would be determined under Rule 36(A) (1) of the Tamil Nadu Mines and Mineral Rules 1959, based on an allegation that the petitioner's vehicle was involved in transporting Jalli without having valid papers.

<https://hcservices.ecourts.gov.in/hcservices/>

2. It is seen the proceedings which is under challenge



before this Court itself is not the final order and on the other hand, it is only a proceeding communicating the seizure of the vehicle belonging to the petitioner and further intimating that proceedings are going to be initiated under Rule 36(A)(1) of the said Rules. Hence, I find that the present Writ Petition is premature. Therefore, it is for the concerned official to pass final orders, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the respondents within a period of two weeks from the date of receipt of a copy of this order. If the petitioner is aggrieved against such final order, it is open to him to challenge the same in the manner known to law.

3. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Periyakulam, Theni District..

2. The Assistant Director,
O/o. The Assistant Director,
Department of Geology and Mines,
District Collectorate Complex,
Theni.

+1cc to M/s.T.Lajapathi Roy, Advocate in SR. No.731

+1cc to Special Government Pleader in SR. No.825

trp

Jsi/skn/cr/2p-5c/30.01.2017

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