

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.06.2018

C O R A M

THE HON'BLE Mr.JUSTICE P.D.AUDIKEVALU

W.P.No.10130 of 2004
and
WPMP No.11810 of 2004

R.Subramani

...Petitioner

vs

1.The Tasildhar,
Vanur Taluk,
Villupuram District.

2.The Station House Officer,
Vanur,
Villupuram District.

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to return the vehicle "Excavator loader Escorts JCB bearing Registration No.PY 01 U 6190 to the petitioner herein.

For petitioner : Mr.V.Raghavachari

For Respondents : Mr.K.S.Suresh
Government Advocate

O R D E R

The case of the petitioner in this writ petition is that excavator loader Escorts JCB bearing Registration No.PY 01 U 6190 belonging to the petitioner had been seized by the respondents and he was not informed the legal provisions under which that seizure has been made.

2.This Court by way of interim order dated 20.04.2004 had directed the release of the seized vehicle to the petitioner on the petitioner filing an affidavit that he would not part with the vehicle and produce the same as and when required by the respondents.

3. A Counter affidavit dated 26.06.2004 has been filed by

the first respondent stating that the aforesaid vehicle was found to be excavating white gravels without any valid permit for transporting minerals as required under Rule 36(A) of the Tamilnadu Mines and Minerals Concession Rules.

4. Recording the same, this writ petition is disposed with the observation that it is open to the concerned authorities to proceed further in the matter in accordance with law and if necessary, the petitioner shall be required to hand over the released vehicle as per his undertaking. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Tasildhar,
Vanur Taluk,
Villupuram District.

2.The Station House Officer,
Vanur,
Villupuram District.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.39330

+1cc to the Government Pleader, S.R.No.39593

W.P.No.10130 of 2004

GSP(10/07/2018)

सत्यमेव जयते

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