

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15281 of 2018

G.Easwaramoorthy

...Petitioner

Vs.

1.The District Collector
Tiruppur District, Tiruppur.

2.The Assistant Director
Mines Department
District Collector Office Campus
Tiruppur.

3.The Sub Collector/Revenue Divisional Officer
Dharapuram, Tiruppur District.

4.The Inspector of Police
Mulanoor Police Station
Dharapuram Taluk
Tiruppur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release petitioner's lorries bearing Registration Nos.TN 37 AT 3793 and TN 38 Z 3544 seized by the second respondent on 06.06.2018 by considering petitioners representation dated 08.06.2018.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

WEB COPY
O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to release the petitioner's lorries bearing Registration Nos. TN 37 AT 3793 and TN 38 Z 3544 seized by the second respondent on 06.06.2018 by considering the petitioner's representation dated 08.06.2018.

2.The learned counsel appearing on behalf of the writ petitioner states that the petitioner had not involved in any sand smuggling and he is authorised to carry sand as per the licence granted and therefore, there is no illegality.

3.However, the learned Special Government Pleader contended that these factual aspects have to be verified and considered by the competent authorities only i.e. by the second respondent.

4.This being the factum of the case, this court is of an opinion that it is suffice if a direction is issued to the second respondent to consider the representation. Accordingly, the second respondent is directed to consider the representation dated 02.08.2017 submitted by the writ petitioner and pass orders on merits and in accordance with law, within a period of two(2) weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition stands disposed of. However, there shall be no order as to costs.

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

may a

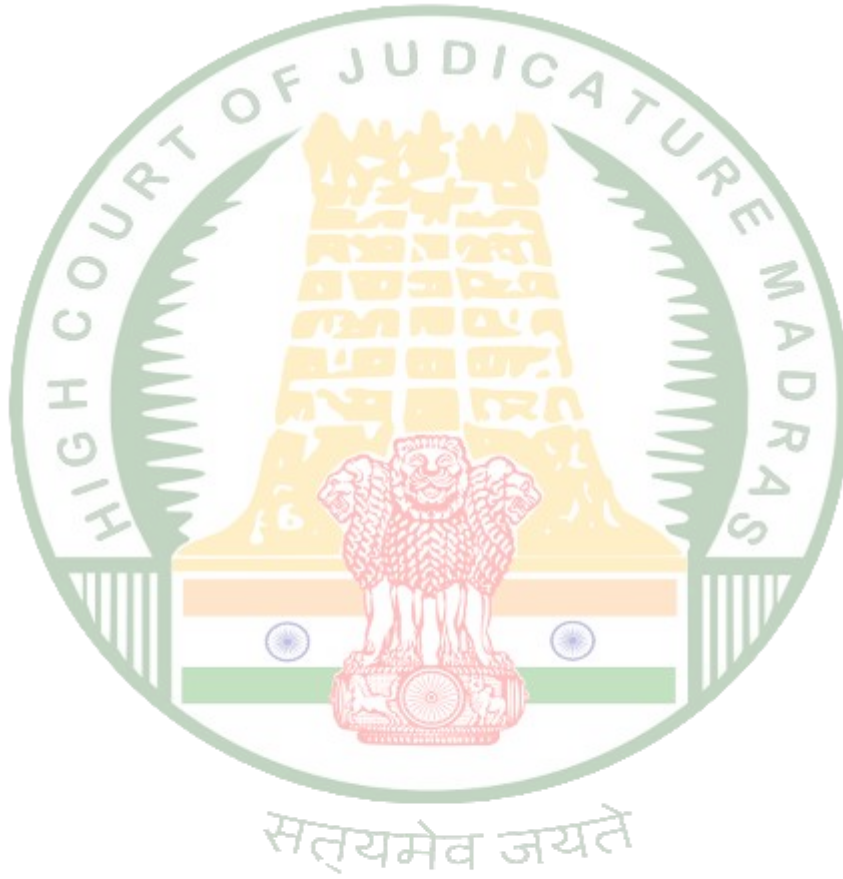
To

- 1.The District Collector
Tiruppur District, Tiruppur.
- 2.The Assistant Director
Mines Department
District Collector Office Campus
Tiruppur.
- 3.The Sub Collector/Revenue Divisional Officer
Dharapuram, Tiruppur District.
- 4.The Inspector of Police
Mulanoor Police Station
Dharapuram Taluk
Tiruppur District.

+1 CC to Mr.N. Ponraj, Advocate sr 40763.
+1 CC to Govt. Pleader sr 40375.

W.P.No.15281 of 2018

JP (CO)
SP (03/07/2018)



WEB COPY