

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25-06-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.15402 of 2018

And

W.M.P.No.18291 of 2018

M.Thangarajan

.. Petitioner

Versus

1. The Deputy Commissioner (TOWA) North Office,
Civil Supplies and Consumer Department,
Ezhilagam, 4th Floor,
Chepauk,
Chennai-600 005.
2. The Inspector of Police,
Civil Supplies Crime Investigation Department,
Pattaravakkam,
Menambedu Post,
Ambattur,
Chennai-600 053.

..Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to pass appropriate order to the show cause notice in Na.Ka.No.3/2329/2017 dated 8.9.2017 issued by the first respondent and consequently direct the first respondent herein handover the seized vehicle namely TATA ACE bearing Registration No.TN-69-BA-9227 to the petitioner.

For Petitioner : Mr.P.Pandiyaraj
For Respondents : Mr.I.Sathish,
Additional Government Pleader.

ORDER

The relief sought for in this writ petition is for a direction to direct the first respondent to pass appropriate order to the show cause notice dated 8.9.2017, issued by the first respondent and, further direct the first respondent to hand over the seized vehicle to the writ petitioner.

2. The grievance of the writ petitioner is that he is the owner of a TATA ACE vehicle bearing Registration No.TN-69-BA-9227. The Inspector of Police, Civil Supplies Crime Investigation Department, Ambattur, intercepted the vehicle and after conducting search on the writ petitioner's vehicle, found 120 litres of Kerosene and seized the same.

3. This apart, the vehicle had also been seized. The writ petitioner, on receipt of the show cause notice from the first respondent dated 8.9.2017, submit his reply statement to the first respondent on 6.10.2017. In spite of his reply statement, no decision has been taken by the first respondent so far.

4. The learned counsel, appearing on behalf of the writ petitioner, states that the vehicle is lying without any usage and the condition of the vehicle is deteriorated.

5. Under these circumstances, the first respondent is directed to consider the reply statement given by the writ petitioner on 6.10.2017 and pass orders on merits and in accordance with law, for the release of the vehicle, within a period of one week from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

Svn

To

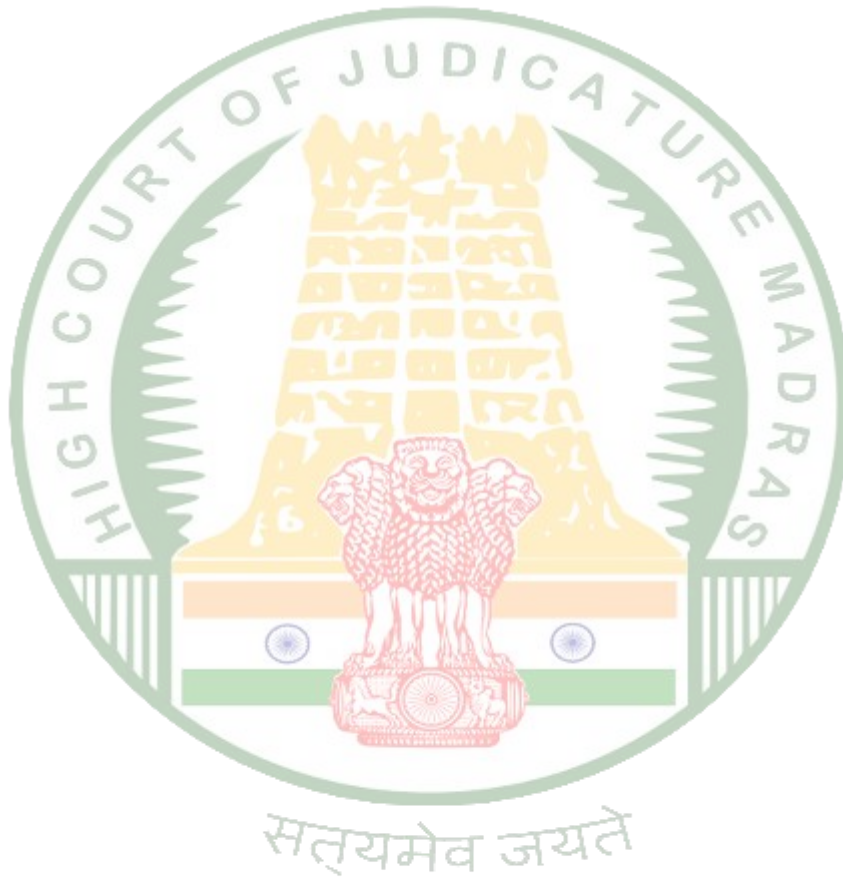
1.The Deputy Commissioner (TOWA) North Office,
Civil Supplies and Consumer Department,
Ezhilagam, 4th Floor,
Chepauk,
Chennai-600 005.

2.The Inspector of Police,
Civil Supplies Crime Investigation Department,
Pattaravakkam,
Menambedu Post,
Ambattur,
Chennai-600 053.

+1 CC to Mr.P. Pandiyaraj, Advocate sr 40073.
+1 CC to The Govt. Pleader sr 40400.

W.P.No.15402 of 2018

SP(28/06/2018)



WEB COPY