

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.12.2018

CORAM:
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.30920 of 2018

Bhoopathy

..Petitioner

Vs

- 1.The Government of Tamil Nadu
rep. by its Secretary
Non-ferrous Mining and Metallurgical
Industries, Ezhilagam
Chennai-600 005
- 2.The District Collector
Villupuram District
- 3.The Sub Collector
Tindivanam
Villupuram District
- 4.The Tahsildar
Gingee, Villupuram District
- 5.The Village Administrative Officer
Kambandur Village Administrative Office
Gingee Taluk
Villupuram District

..Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents particularly the Village Administrative Officer, Kambandur Village Administrative Office, Gingee Taluk, to release the tyre cart of the petitioner seized by them on 16.08.2018 in Maniyampattu river bed, Gingee, for the alleged transportation of sand in the tyre cart.

For Petitioner : Mr.K.Balakrishnan

For Respondents : Mr.M.Karthikeyan,
Additional Government Pleader

ORDER

This Writ Petition is filed praying to issue a writ of Mandamus to direct the 5th respondent to release the tyre cart of the petitioner seized by them on 16.08.2018 in Maniyampattu river bed, Gingee, for the alleged transportation of sand in the tyre cart.

2. The learned Additional Government Pleader appearing for the respondents would submit that on the complaint preferred by the Village Administrative Officer, Additional Responsibilities of the Kammanthur Village, Gingee Taluk, a case has been registered in Crime No.963 of 2018 on 16.12.2018 under Section 379 IPC read with 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 on the file of Gingee Police Station, Villupuram District. He has also produced a copy of the FIR before this court. The learned Additional Government Pleader would also submit that after the seizure of bullock cart along with bullock, at the request of the Petitioner, the bullock was released to the Petitioner.

3. Recording the above submission, the Writ Petition is dismissed with liberty to the Petitioner to seek proper remedy before the appropriate forum. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri

To

1.The Government of Tamil Nadu
rep. by its Secretary
Non-ferrous Mining and Metallurgical
Industries, Ezhilagam, Chennai-600 005

2.The District Collector
Villupuram District

3.The Sub Collector
Tindivanam,Villupuram District

4.The Tahsildar
Gingee, Villupuram District.

5.The Village Administrative Officer
Kambandur Village Administrative Office
Gingee Taluk
Villupuram District.

+1cc to Mr.K.Balakrishnan, Advocate, S.R.No.87681
+1cc to the Government Pleader, S.R.No.88418

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SJ(CO)
rrs 11/01/2019