



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1513 of 2018

Y.Daffini Shanio

... Petitioner

Vs.

1.The District Collector,
Kanniyakumari District,
Kanniyakumari.

2.The Regional Transport Officer,
Marthandam,
Kanniyakumari District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to release petitioner's vehicle Mini Bus in bearing Registration No.TN 29 N-0255 with the time stipulated by this Court.

For Petitioner	: Ms.S.Karpagasaravana Priya for Mr.A.Thirumurthy
For Respondents	: Mr.K.Saravanan Government Advocate

O R D E R

Mr.K.Saravanan, learned Government Advocate takes notice for the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The writ petitioner's Mini Bus was seized by the second respondent for having plied on an unauthorized route. The writ petitioner has stated in the affidavit that she paid compound fine amount of Rs.10,000/-. The vehicle is presently being detained by the second respondent and parked at open space of the second respondent's office.

3.The detention of the writ petitioner's mini bus is not going to serve any purpose. It is made clear that it is open to the respondents to proceed against the writ petitioner in accordance with law for the violation committed by the writ petitioner. The proceedings can very well go on. But, it is not necessary to detain



the writ petitioner's mini bus till then. Therefore, this Court directs the respondents to forthwith release the petitioner's mini bus bearing Registration No.TN 29 N-0255 subject to the following conditions :

"(i)The petitioner shall produce the documents before the respondents to establish the ownership of the vehicle in question;

(ii) On doing so, the vehicle in question shall be returned to the petitioner;

(iii) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned;

(iv) The petitioner is also directed to participate in the enquiry to be conducted by the respondents, if any."

4.This writ petition is allowed as indicated above. No costs.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Kanniyakumari District,
Kanniyakumari.

2.The Regional Transport Officer, Marthandam,
Kanniyakumari District.

+1cc to Mr.A.THIRUMURTHY,Advocate,SR. 44127

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