



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.1687 of 2018

S.Kalimuthu

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Srivilluputhur Taluk,
Virudhunagar District.

4.The Inspector of Police,
Town Police Station,
Srivilluputhur,
Virudhunagar District.

... Respondents

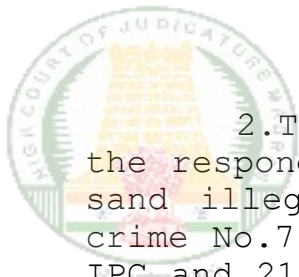
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent herein to release the petitioner's vehicle of Mahindra 475 Tractor and Trailer bearing Registration TN-72-X-5521 and to handover the same to the petitioner within the time limit that may be stipulated by this Court.

For Petitioner
For Respondents

: Mr.B.Jeyakumar
: Mr.P.Kanni Devan
Additional Government Pleader

ORDER

This Writ Petition has been filed for seeking a direction to the respondent to release the petitioner's vehicle of Mahindra 475 Tractor and Trailer bearing Registration TN-72-X-5521 seized by the 4th respondent on the ground that the said vehicle was illegally transported the river sand. When the petitioner approached the respondent to release of the vehicle, they refused to release the vehicle. Hence, the petitioner filed this present Writ Petition.



2.The learned Additional Government Pleader appearing for the respondents submitted that the petitioner transported the river sand illegally and hence a criminal case has been registered in crime No.798 of 2017 for the offences punishable under Sections 379 IPC and 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and the vehicle is also produced before the learned Judicial Magistrate No.II, Srivilliputhur.

3.Considering the fact that the vehicle of the petitioner, seized by the fourth respondent, has been produced before the learned Judicial Magistrate No.II, Srivilliputhur, it is open to the petitioner to approach the concerned Judicial Magistrate to release of the vehicle by filing necessary application.

4.This Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Srivilluputhur Taluk,
Virudhunagar District.

4.The Inspector of Police,
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