



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**

Writ Petition (MD) No.2867 of 2018

M.Gokula Kannan

... Petitioner

Vs.

1. The District Collector,  
Ramanathapuram District.

2. The Revenue Divisional Officer/Sub Collector,  
Paramakudi,  
Ramanathapuram District.

3. The Inspector of Police,  
Sayalkudi Police Station,  
In Cr.no.15 of 2018.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents No.2 and 3 to expedite the release of the petitioners vehicle bearing Registration Number TN 47 V 6570 within the time frame fixed by this Court.

For Petitioner : Mr.M.Gururaj

For Respondents : Mr.P.Kannithevan  
Additional Government Pleader.

### ORDER

This writ petition has been filed seeking direction to the respondents to the respondents 2 and 3 to release the petitioner's vehicle bearing Registration Number TN 47 V 6570.

2.According to the petitioner, he is the owner of the said vehicle and even though he plied the said vehicle with all relevant documents, the second respondent seized the same on 23.01.2018 on the ground that the vehicle has involved in illegal quarrying of sand without valid permit.

<https://hcservices.ecourts.gov.in/hcservices> On the other hand, it is submitted by the learned Additional Government Pleader that the vehicle was seized as it was involving in illegal quarrying of sand without valid papers



including registration certificate books and transport permits for transporting sand.

4. In any event, as the vehicle is under the custody of the authorities, having been seized on 23.01.2018 and considering the fact that if the same is allowed to be kept idle by exposing the same to sun and rain, it would certainly diminish its value. Therefore, pending proceedings before the respondents, this Court is of the view that the vehicle may be released by imposing conditions on the petitioner for release of the same.

5. Accordingly, the respondents are directed to release the vehicle in question to the petitioner within a period of 7 days subject to the following conditions:

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

(ii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only), before the second respondent;

(iii) The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondents;

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

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

(vi) The petitioner is also directed to participate in the enquiry to be conducted by the respondents."

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,  
Ramanathapuram District.

2. The Revenue Divisional Officer/Sub Collector,  
Paramakudi,  
Ramanathapuram District.



3. The Inspector of Police,  
Sayalkudi Police Station  
Ramanathapuram District.

+1cc to Mr.M.Gururaj, Advocate Sr.No.48386

SMS

VB/SV/MMS/SAR2/19.02.2018/3P/5C

Writ Petition (MD) No.2867 of 2018  
14.02.2018