



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2018

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.301 of 2018

Rajkumar ... Petitioner
Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

3.The Inspector of Police,
Palayanur Police Station,
Sivagangai 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 respondents to release the petitioner's JCB bearing Registration No.TN-63-BA-0510 seized on 19.12.2017 by the second respondent and directing him to hand over to the petitioner.

For Petitioner : Mr.M.Subash Babu
For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

The Writ Petition has been filed seeking release of the petitioner's JCB bearing Registration No.TN-63-BA-0510 seized on 19.12.2017 by the second respondent.

2.When the matter is taken up for hearing, the learned Special Government Pleader appearing on behalf of the respondents submitted that FIR has been filed against the petitioner in Crime No.106/17 under Section 21 (1) of Mines and Minerals (Development & Regulation) Act, 1957 and the lorry has been produced before the Judicial Magistrate, Manamadurai.

3.In the above circumstances, since the lorry has been produced before the Judicial Magistrate, Manamadurai, the petitioner is at liberty to file a necessary application before the Judicial Magistrate, Manamadurai, seeking release of the vehicle.



4. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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/True Copy/

Sd/-
Assistant Registrar(Writs)

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
3. The Inspector of Police,
Palayanur Police Station,
Sivagangai District.

+1cc to M/S.M.Subash Babu, Advocate SR.No. 41069
+1cc to Special Government Pleader, SR.No. 41485

W.P(MD) No.301 of 2018
08.01.2018

Myr
JM/KKR/SAR 1/19.01.2018/2P/6C