



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.3217 of 2018

Muthukumar

... Petitioner

Vs.

1.The Revenue Divisional officer/
1st Class Administrative Magistrate,
Devakottai, Devakottai Taluk,
Sivagangai District.

2.The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to release the petitioners Tipper Lorry bearing registration Nos.Nos.TN-46-K-8510.

For Petitioner : Mr.S.Sathya Chidambaram
For Respondents : Mr.P.Kannidevan
Additional Government Pleader.

ORDER

This writ petition has been filed seeking direction to the respondents to release the petitioner's Tipper Lorry bearing Registration No.TN-46-K-8510.

2.According to the petitioner, the petitioner's lorry bearing Registration No.TN-46-K-8510 has been seized by the second respondent police on the ground that he is illegally transporting sand. Now, the petitioner has submitted a representation dated 13.02.2018 before the respondents to release the lorry. Since no order has been passed, the present writ petition has been filed.

3.Today when the matter is taken up for hearing, learned Additional Government Pleader appearing for the respondents submitted that criminal case has already been registered against the petitioner and the lorry has also been produced before the learned Judicial Magistrate, Devakottai.



4. In the above circumstances, the relief sought by the petitioner cannot be granted. Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to approach the concerned Judicial Magistrate by filing appropriate application seeking to release the vehicle. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional officer/
1st Class Administrative Magistrate,
Devakottai, Devakottai Taluk,
Sivagangai District.

2. The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

+1cc to M/S.S.SATHYA CHIDAMBARAM, Advocate SR.No.49160.

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16.02.2018

sms

SDS/SV:MMS/SAR 4/26.02.2018/2P/4C