



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.3750 of 2018

Krishnan

... Petitioner

Vs.

1.The District Collector
Pudukottai District,
Pudukottai.

2.The District Revenue Officer,
Pudukottai District,
Pudukottai.

3.The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.

4.The Inspector of Police,
Mimesal Police Station,
Pudukottai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to release the lorry bearing Registration No.TN 60 L 8037 seized by the 4th respondent on 20/02/2018.

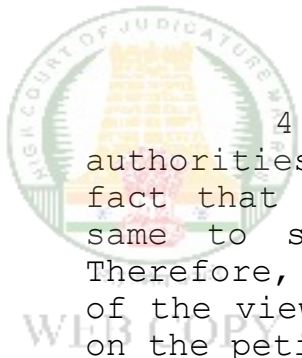
For Petitioner	: Mr.A.V.Rajasekaran
For Respondents	: Mrs.J.Padmavathidevi Special Government Pleader.

ORDER

This writ petition has been filed seeking direction to the third respondent to release the lorry bearing Registration No.TN-60-L- 8037 seized by the fourth respondent on 20.02.2018.

2.According to the petitioner, even though he plied the said vehicle with all relevant documents, the second respondent seized the same on 20.02.2018 and it is specifically submitted that the petitioner has no bad antecedents.

3.On the other hand, it is submitted by the learned Special Government Pleader that the vehicle was seized as it was plying 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 20.02.2018 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.50,000/- (Rupees Fifty Thousand only), before the third 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. This Writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector
Pudukottai District,
Pudukottai.

2. The District Revenue Officer,
Pudukottai District,
Pudukottai.

3. The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.



4.The Inspector of Police,
Mimesal Police Station,
Pudukottai District.

+1cc to M/S.A.V.Rajasekaran, Advocate SR.No. 50670

+1cc to Special Government Pleader, SR.No. 51676

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23.02.2018

SMS

JM/SKN RSK/SAR 2/01.03.2018/3P/7C