



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.6227 of 2018

R.Ramesh Babu

... Petitioner

Vs.

The Revenue Divisional Officer,
Revenue Divisional Office
Paramakudi, Ramanathapuram District.

... Respondent

Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus, to direct the respondent to conduct the enquiry expeditiously and release the petitioner vehicle bearing Reg.No.TN 64 C 6557 forthwith in accordance with law on the basis of the representation dated 15.03.2018.

For Petitioner	: Mr.A.Ramalingam
For Respondent	: Mr.P.Kannidevan
	Additional Government Pleader.

ORDER

This writ petition has been filed seeking direction to the respondent to conduct enquiry expeditiously and release the petitioner's vehicle bearing Reg.No.TN-64-C-6557 forthwith in accordance with law on the basis of the representation dated 15.03.2018.

2.According to the petitioner, the petitioner is the owner of the above said vehicle which was seized on the ground that the petitioner was transporting red sand in violation of the transport permit issued by the authorities from Erwadi on the way to Sayalkudi. He would further contend that even though he plied he said vehicle with all relevant documents, the Inspector of Police, Sayalgudi seized the same on 18.02.2018 and it is specifically submitted that the petitioner has no bad antecedents.

3.On the other hand, it is submitted by the learned Additional Government Pleader that as the vehicle was plying in violation of transport permit already granted to the petitioner, it was seized.

4.In any event, as the vehicle is under the custody of the authorities, having been seized on 18.02.2018 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 respondent, 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 respondent is 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 respondent to establish the ownership of the vehicle in question;

(ii) The petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only), before the 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 respondent;

(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 (RTI)

/True Copy/

Sub Assistant Registrar

To
The Revenue Divisional Officer,
Revenue Divisional Office
Paramakudi, Ramanathapuram District.

+1CC to Mr. A. Ramalingam, Advocate, SR.No. 57421
+1CC to the Special Government Pleader SR.No. 57946

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sms
AM/SKN RSK/SAR 1/27.03.2018/2P/4C