



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.01.2018

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.87 of 2018

Karthiyayini

... Petitioner

Vs.

1.The District Collector,
Sivagangai, Sivagangai District.

2.The Sub Collector,
Ram Nagar, Devakottai,
Sivagangai District.

3.The Tahsildar,
Devakottai Taluk,
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 2 and 3 herein to release the petitioner's vehicle bearing registration No.TN 59 B 4969 within a stipulated time as that may be fixed by this Court.

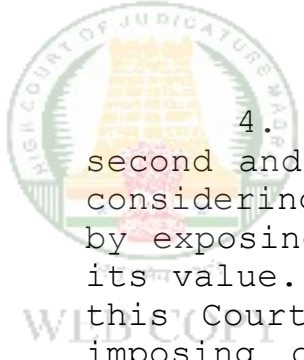
For Petitioner	: Mr.S.Muthukumar
For Respondents	: Mr.Aayiram K.Selvakumar Additional Government Pleader.

ORDER

This Writ Petition has been filed for seeking a direction to the respondents 2 and 3 herein to release the petitioner's vehicle bearing registration No.TN 59 B 4969 within a stipulated time as that may be fixed by this Court.

2.According to the petitioner, even though the petitioner has plied the said vehicle with all relevant documents, the Revenue Inspector, Kannangudi seized the vehicle.

3.On the other hand, it is submitted by the learned Additioanal Government Pleader appearing for the respondents that the vehicle was seized as it was plying without valid papers in accordance with the service registration certificate book and transport permit for transporting river sand.



4. In any event, as the vehicle is under the custody of the second and third respondents having been seized on 26.12.2017 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 can be released by imposing conditions on the petitioner for release of the said vehicle.

5. Accordingly, the second and third 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 documents before the third respondent to establish the ownership of the vehicle in question;

(ii) Keeping in view the fact that the petitioner's vehicle got involved in the similar offence on earlier occasions, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the third respondent herein;

(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; and

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

6. This Writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai, Sivagangai District.

2. The Sub Collector,
Ram Nagar, Devakottai,
Sivagangai District.



3.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

+1cc to Mr.S.MUTHUKUMAR,Advocate,SR. 41578

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