



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.11146 of 2018

B.K.Deenamol

: Petitioner

Vs.

1. The District Revenue Officer,
Kanyakumari District,
Nagercoil.

2. The Special Tahsildar,
Flying Squad,
Kanyakumari District,
At Nagercoil.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to release the TATA Super Ace Mini Van bearing registration No.KL-25-D-9368 seized by the second respondent on 03.05.2018 to the petitioner.

For Petitioner

: Mr.T.Lenin Kumar

For Respondents

: Mr.S.Dhayalan,
Government Advocate

O R D E R

This writ petition has been filed seeking a Writ of Mandamus directing the first respondent to release the petitioner's vehicle, namely, TATA Super Ace Mini Van, bearing registration No.KL-25-D-9368 seized by the second respondent on 03.05.2018.

2. Mr.T.Lenin Kumar, learned Counsel for the petitioner is before this Court. Mr.S.Dhayalan, learned Government Advocate accepts notice on behalf of respondents.

3. There is no dispute before me that the issue in the instant writ petition is similar and identical to W.P.(MD)No.1062 of 2018, which came to be disposed of by another Hon'ble Single Judge of this Court on 19.01.2018. Vide aforesaid order, this Court had



directed release of the vehicle in question by imposing six conditions.

4. As there is no dispute or disagreement before me that this matter is similar to the aforesaid earlier writ petition, there shall be a direction to the first respondent to release the vehicle in question within a period of seven days, on the same set of conditions, which are as follows:

"(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.10,000/- (Rupees Ten Thousand only) before the first 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."

5. This writ petition is ordered accordingly. No costs.

Sd/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The District Revenue Officer,
Kanyakumari District, Nagercoil.
2. The Special Tahsildar,
Flying Squad,
Kanyakumari District, At Nagercoil.

+ 1 cc TO Mr.T.Lenin Kumar , Advocate in SR No. 65544
+ 1 cc TO The Special Government Pleader in SR No. 65760

gk/dsk

AE/JC/SAR3/23.05.2018/2P/5C