



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M. SUNDAR

W.P (MD) No.11161 of 2018

Rajagandhi

: Petitioner

Vs.

1. The District Collector,
Sivagangai,
Sivagangai District.

2. The Sub Collector cum Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3. The Inspector of Police,
Pallathur Police Station,
Sivagangai District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 & 3 to release the petitioner's vehicle Bharath Benz Tipper Lorry bearing registration No.TN-55-AQ-0578 within a stipulated time on the basis of the petitioner's representation dated 28.04.2018.

For Petitioner

: Mr.A.Muralikumar

For Respondents

: Mr.S.Dhayalan,

Government Advocate

ORDER

This writ petition has been filed seeking a Writ of Mandamus directing the respondents 2 & 3 to release the petitioner's vehicle, namely, Bharath Benz Tipper Lorry, bearing registration No.TN-55-AQ-0578 within a stipulated time by considering the petitioner's representation dated 28.04.2018.

2. Mr.A.Muralikumar, 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 respondents 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 second 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 Collector,
Sivagangai, Sivagangai District.

2. The Sub Collector cum Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3. The Inspector of Police,
Pallathur Police Station,
Sivagangai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 65772

+ 1 CC TO Mr.A.MURALIKUMAR, ADVOCATE IN SR No. 65816

GK

TE/SV-MMS/SAR-3 : 22/05/2018 : 2P/6C