



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.05.2018

CORAM:

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

W.P.(MD) No.11181 of 2018

WEB COPY

Palanichamy

... Petitioner

vs.

1.The District Collector,
Pudukkottai District, Pudukkottai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukkottai Taluk,
Pudukkottai District.

3.The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.

4.The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to release the Vehicle (Tipper Lorry) bearing Registration No.TN-48L-5952, Chassis No:DNE659520 to the petitioner by considering the petitioner's representation dated 11.05.2018.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.S.Angappan,
Government Advocate

O R D E R

This writ petition is filed for issuing a Writ of Mandamus, directing the respondents to release the Vehicle (Tipper Lorry) bearing Registration No.TN-48L-5952, Chassis No:DNE659520 to the petitioner by considering the petitioner's representation dated 11.05.2018.

2.According to the petitioner, even though the petitioner has plied the vehicle with all relevant documents, the third respondent has seized the vehicle.



3. On the other hand, it is submitted by the learned Government Advocate appearing for the respondents that the vehicle was seized as it was plying without valid papers including registration certificate book and transport permit for transporting sand.

4. In any event, as the vehicle is under the custody of the fourth respondent, having been seized on 09.05.2018 and considering the fact that if the same are 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 all the vehicle can be released by imposing conditions on the petitioner for release of the said vehicle.

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

(ii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) per vehicle 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 petitioners; 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.

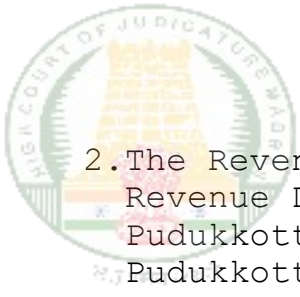
Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Pudukkottai District, Pudukkottai.



2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukkottai Taluk,
Pudukkottai District.

3.The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.

4.The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.

+1CC to Mr.G.Mathavan Advocate in SR.NO.66099,
+1CC to Special Government Pleader in SR.No.65928.

DAS/RMI
DS/RSK-SKN/SAR-4 :25.05.2018: 3P/7C

W.P. (MD) No.11181 of 2018
24.05.2018