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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18471 of 2018

G.Saravana Sakkaravarthy ... Petitioner

vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Sub Collector,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi taluk,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the third respondent to release the petitioner's tipper lorry bearing Registration No.TN-39-AK-3712 seized by the third respondent on 03.08.2018.

For Petitioner : Mr.M.Senthil Ayyanar

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

O R D E R

The petitioner is aggrieved by the action of the respondents seizing the tipper lorry belonging to him.

2. Notice was ordered and on behalf of the respondents, a counter affidavit has been filed. In the counter affidavit, it is averred that the second respondent is undertaking an enquiry into the alleged smuggling of illegal sand and transportation of the same by the vehicle belonging to the petitioner. In this connection, a report has also been submitted by the third respondent to the second respondent on 16.08.2018. However, the enquiry has not been completed and the seized vehicle is still in the custody of the third respondent.



3. In view of the enquiry being under way, the Writ Petition is disposed of with the following directions:

"The second respondent is directed to complete the enquiry and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. It is also open to the second respondent to take appropriate steps on the basis of the conclusion in the enquiry in regard to the release of vehicle belonging to the petitioner."

No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

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To

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Sub Collector,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi,
Ramanathapuram District.

+1cc to Mr.M.Senthil Ayyanar, Advocate in SR No.85219

+1cc to Spl Government Pleader SR No.85637

W.P. (MD) No.18471 of 2018

NM/RSK/SAR 2/26.09.2018/2P/6C



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