



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.05.2018

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THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.(MD) No.11638 of 2018

Sakthivel

... Petitioner

vs.

1.The District Collector
Tirunelveli District, Tirunelveli

2.The Revenue Divisional Officer
Tenkasi, Tirunelveli District

3.The Inspector of Police
Vickramasingapuram Police Station
Tirunelveli District

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st respondent to release the petitioner's Tractor bearing Registration No.TN-72 X-8499 seized on 23.01.2018 by the third respondent to the petitioner.

For Petitioner : Mr.C.Sureshkannan

For Respondents : Mr.C.Ramar

Additional Government Pleader

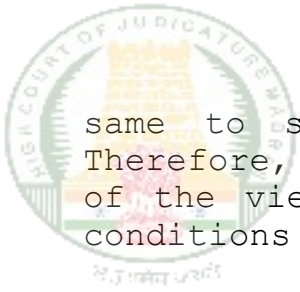
O R D E R

The petitioner seeks for a writ of mandamus directing the 1st respondent to release his vehicle, namely, Tractor bearing Registration No.TN-72 X-8499 seized on 23.01.2018 by the third respondent.

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

3. On the other hand, it is submitted by the learned Additional Government Pleader appearing for the respondents that the vehicle had been involved in transportation of black stones without valid license.

4. In any event, as the vehicle is under the custody of the third respondent having been seized on 23.01.2018 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 certain conditions on the petitioner for release of the aforesaid vehicle.

5. Accordingly, the second respondent is directed to release the vehicle in question to the petitioner within a period of seven days from the date of receipt of a copy of this order subject to the following conditions:

- “(i) The petitioner shall produce necessary documents before the second respondent to establish the ownership of the vehicle in question;
- (ii) The petitioner shall deposit a sum of Rs.30,000/- (Rupees thirty thousand only) before the second 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;
- (v) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned;
- (vi) The petitioner is also directed to participate in the enquiry to be conducted by the respondents.”

6. The writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector,Tirunelveli District, Tirunelveli.
- 2.The Revenue Divisional Officer, Tenkasi, Tirunelveli District.
- 3.The Inspector of Police, Vickramasingapuram Police Station, Tirunelveli District.

+1CC to Mr.C.Suresh Kannan, Advocate, SR.No. 66279

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krk/sji