



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.07.2018
CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P. (MD) No. 14560 of 2018

R. Settu

: Petitioner

Vs.

1. The Revenue Divisional Officer,
Srirangam,
Trichy District.

2. The Tahsildar,
Srirangam Taluk,
Trichy District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to release the petitioner's vehicle i.e., Tipper Lorry bearing Registration No. TN 29 BC 6529 within the time limit that may be stipulated by this Court.

For Petitioner : Mr. A. S. Vaigunth
For Respondents : Mr. S. Dhayalan,
Government Advocate

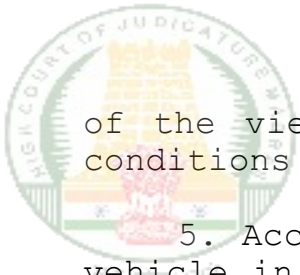
ORDER

The petitioner seeks for a Writ of Mandamus, directing the respondents to release his vehicle, namely, Tipper Lorry bearing Registration No. TN 29 BC 6529.

2. According to the petitioner, even though he had plied the aforesaid vehicle with all relevant documents, the first 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 the same was plied without valid papers, including registration certificate books and transport permits for transporting sand.

4. In any event, as the vehicle is under the custody of the respondents having been seized on 16.06.2018 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 first 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 documents before the first respondent to establish the ownership of the vehicle in question;
- (ii) The petitioner shall deposit a sum of Rs.50,000/- (Rupees fifty thousand only) for the vehicle before the first 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 first respondent is directed to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order; and
- (vii) The petitioner is also directed to participate in the enquiry to be conducted by the first respondent."

6. The Writ Petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,

<https://hcservices.ecourts.gov.in/hcservices/>

Srirangam,

Trichy District.



2.The Tahsildar,
Srirangam Taluk,
Trichy District.

+1CC to Mr.A.S.Vaigunth Advocate in SR.No.71848.

+1CC to Special Government Pleader in SR.No.71682.

SML

DS/RP/SAR-1 :10.07.2018: 3P/5C

Order made in
W.P. (MD) No.14560 of 2018
06.07.2018