



## BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) .No.16962 of 2018

M.Vadivel

...Petitioner

Vs.

1. The District Collector,  
Trichy District, Trichy.

2. The Revenue Divisional Officer,  
Srirengam Revenue Division,  
Srirengam, Trichy District.

3. The Tahsildar,  
Srirengam Taluk,  
Srirengam, Trichy District.

4. The Zonal Deputy Tahsildar,  
Srirengam, Trichy District.

... Respondents

**Prayer:** This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicle Ashok Leyland-Tipper Lorry bearing its Registration No.TN 45 AU 0828.

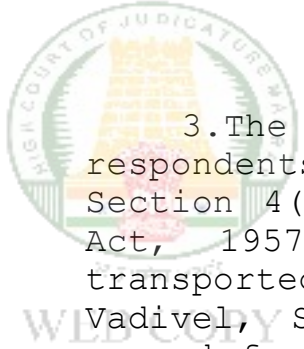
For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.C.M.Mari Chelliah Prabhu,  
Additional Government Pleader.

**ORDER**

This Writ Petition has been filed, seeking for a Writ of Mandamus, directing the respondents to release the petitioner's vehicle Ashok Leyland-Tipper Lorry bearing its Registration No.TN 45 AU 0828.

2.The case of the petitioner is that he is running a goods carriage business in a small level by using the lorries. He has purchased a vehicle, namely, Ashok Leyland Tipper Lorry bearing Registration No.TN 45 AU 0828 for hiring to transport the materials. As such, river sand was transported in his lorry. On 22.07.2018 at about 10.30 A.M., the said lorry was intercepted in Trichy City and seized by the fourth respondent.



3. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner was charged under Section 4(1)(A) of Mines and Minerals (Development & Regulation) Act, 1957, (hereinafter referred as the Act), as he has transported the sand illegally. The petitioner herein namely, Vadivel, S/o. Mariyappan on 28.09.2018 accepted the mistake and prayed for acquitting him from the said case, stating that he is ready to pay appropriate fee for the same. Accordingly, as per Section 36 A(1) and (3) of the said Act, the petitioner was imposed penalty at Rs.27,000/- (Rupees Twenty Seven Thousand Only) and the same was paid on 28.09.2018 in State Bank of India, Trichirappalli and a receipt has been produced before the concerned authorities. After receiving the penalty, the Revenue Divisional Officer, Srirengam, has released the said vehicle, by his proceedings in %.K.m1/4545/2018, dated 08.10.2018.

4. From the above submission, it is found that nothing survives for further adjudication in this Writ Petition. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Collector,  
Trichy District, Trichy.
2. The Revenue Divisional Officer,  
Srirengam Revenue Division,  
Srirengam, Trichy District.
3. The Tahsildar,  
Srirengam Taluk,  
Srirengam, Trichy District.
4. The Zonal Deputy Tahsildar,  
Srirengam, Trichy District.

+1cc to The Spl. Government Pleader Sr.No.94753

MYR

VB/PM/SAR2/29.11.2018/2P/6C

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

**W.P. (MD) .No.16962 of 2018**  
**09.11.2018**