



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2018

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.24606 of 2018

R.Rajasekar

... Petitioner

Vs

The Regional Transport Officer,
Marthandam,
Kannyakumari District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to release my vehicle Mini Bus in bearing Registration to release my vehicle Mini Bus in bearing Registration No.TN75T 7341 within the time stipulated by this Court.

For Petitioner : Mr.J.Bebin Jose
For Respondent : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

The petitioner's Mini Bus bearing Registration No.TN 75 T 7341 was seized by the authority under the Motor Vehicles Act, on the ground that it was plying on the unauthorized route. The authority has also issued the vehicle inspection record. I am of the view that by detaining the vehicle and kept it in the open place, the vehicle will only be losing its value and no further purpose will be served. In all such cases, this Court directs the return of the vehicle to the owner subject to certain conditions. Accordingly, the respondent is directed to release the vehicle bearing Registration No.TN75 T 7341 to the petitioner forthwith subject to the following conditions:

(i)The petitioner shall produce the documents before the respondent to establish the ownership of the vehicle in question;

ii)On doing so, the vehicle in question shall be returned to the petitioner;

iii)The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned;



iv) The petitioner is also directed to participate in the enquiry to be conducted by the respondent, if any.

2. Accordingly, this writ petition is allowed. No costs.

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Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Regional Transport Officer,
Marthandam,
Kanniyakumari District.

+1cc to Mr.J.Bebin Jose Advocate in SR.No.100061

+1cc to Special Government Pleader, SR.No.100702

W.P. (MD) No.24606 of 2018

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