



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.23051 of 2017

RVS.Senthilkumar

... Petitioner

-Vs-

1.The District Collector,
Trichy District, Trichy.

2.The Tahsildar,
Viralimalai Taluk,
Trichy District.

3.The Inspector of Police,
Mandaiyur Police Station,
Pudukkottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to release the petitioner's vehicle lorry bearing registration No.TN 04 D 9399, which was detained at the third respondent's police station on the instruction of the second respondent.

For Petitioner

: Mr.R.Pon Karthikeyan

For Respondents

: Mr.Aayiram K.Selvakumar,

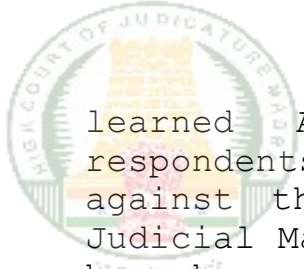
Additional Government Pleader.

ORDER

The petitioner has filed this Writ Petition seeking a direction to release the lorry bearing registration No.TN 04 D 9399 seized by the third respondent.

2.According to the petitioner, while transporting firewood namely, Karuvelam trees, the third respondent / the Inspector of Police has seized the lorry and kept it in his custody. Therefore, the petitioner has made a representation dated 11.12.2017, to release the lorry, but so far, no order has been passed on his representation. Hence, the present Writ Petition

3.Today, when the matter is taken up for hearing, the



learned Additional Government Pleader appearing for the respondents submitted that already a criminal case is registered against the petitioner in Crime No.47/17 on the file of the Judicial Magistrate, Keeranur, Pudukottai District and the vehicle has been produced before the Judicial Magistrate, Keeranur, Pudukottai District.

4.In the above circumstances, this Court cannot pass an order to direct the respondents to release the lorry. However, it is always open to the petitioner to file a necessary application before the Judicial Magistrate, Keeranur, to release the vehicle. If any application is filed, the Judicial Magistrate, Keeranur, is directed to consider the application and pass orders on merits and in accordance with law.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Trichy District, Trichy.
- 2.The Tahsildar,
Viralimalai Taluk,
Trichy District.
- 3.The Judicial Magistrate,
Keeranur,
Pudukkottai District.
- 4.The Inspector of Police,
Mandaiyur Police Station,
Pudukkottai District.

+1cc to Mr.R.PON KARTHIKEYAN,Advocate,SR.41656
+1cc to M/S.Special Government Pleader,SR. 42281

W.P (MD) No.23051 of 2017
10.01.2018

MYR
KK/RSK/SAR 3/17.01.2018/ 2P- 7C/