



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19818 of 2018

Ramya

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakkottai, Sivagangai District.

2.The Tahsildar, Thiruppathur Taluk,
Sivagangai District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to release the vehicle (Tipper Lorry) bearing registration No.TN 63-V-9486 to the petitioner forthwith.

For Petitioner : Mr.A.Arun Prasad

For Respondents : Mr.M.Jeyakumar,
Additional Government Pleader

ORDER

The writ petitioner is the owner of the vehicle bearing Registration No.TN 63-V-9486. It was seized by the respondents on 28.08.2018.

2.It appears that the said lorry was seized on account of illegal transport of sand. The enquiry, in this regard, is still pending. But, no purpose will be served by keeping the lorry in the custody of the respondents. If the vehicle is kept in open space and exposed to sun light and rain, it would lose its value. Therefore, the respondents are directed to release the said vehicle subject to the following conditions.

a) The petitioner shall deposit a sum of Rs.50,000/- before the first respondent.

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

b) The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle.

- c) The petitioner shall not alienate the lorry till the proceedings are completed.
- d) This order for release of the vehicle can be pressed into service by the petitioner only if the vehicle is not in the custody of the criminal Court. If the vehicle is in the custody of concerned Criminal Court of appropriate jurisdiction, then, option is given to the petitioner to approach the concerned Judicial Magistrate to get release of the vehicle, by filing necessary application in the manner known to law.

3. With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Record)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Revenue Divisional Officer,
Devakkottai, Sivagangai District.

2. The Tahsildar, Thiruppathur Taluk,
Sivagangai District.

SKM

DS MMS SAR-4:14.09.2018: 2P/3C

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