

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.3989 of 2012

ORDER:

The relief sought for in this Writ Petition is for a mandamus to declare the action of the respondents, in seizing and continued detention of the petitioners' vehicles under Vehicle Check Report dated 12.1.2012, as arbitrary and illegal.

This Court, by its order in WPMP No. 5007 of 2012 dated 15.2.2012, directed release of the vehicles on condition that the petitioners deposited Rs.1,000/- each; and the said deposit shall be subject to the outcome of the proceedings initiated against the petitioners.

A counter-affidavit is filed by the respondents stating that the vehicles were released on the petitioners paying Rs.1,000/-. In his counter-affidavit the Inspector of Police, Traffic submits that the vehicles were seized for the following violations:

- (1) improper number plates
- (2) allowing unlicensed person to drive the vehicle
- (3) driving without a licence
- (4) violation of the permit conditions

As the vehicles have been released more than six years ago, no useful purpose would now be served in permitting the respondents to seize the vehicles all over again. Suffice it, therefore, to make it clear that this order shall not disable the respondents, if they so choose, from taking action against the petitioners for the aforementioned alleged violations, after putting them on notice and after giving them an opportunity of being heard.

The Writ Petition stands disposed of accordingly. Miscellaneous petitions, pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

8th June, 2018

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