

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.13891 of 2019

Mohamed Rafi

.. Petitioner

..Vs..

1.The State Rep.by the
CSCID (Food Cell)
Inspector of Police,
Krishnagiri Police Station,
Krishnagiri District.

2.The District Revenue Office,
Collector Office, Krishnagiri,
Krishnagiri District.

.. Respondents

R2 is impleaded vide order made in
W.M.P.No.23021 of 2019 by PDAJ on
21.08.2019.

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to release the Petitioner's Tata Super Ace Four Wheeler bearing Registration No.KA.08.6796 which was seized by the respondent.

For Petitioner : Mr.S.Paul Ganamuthu

For Respondents : Mr.R.Govindasamy
Special Government Pleader

O R D E R

This petition has been filed in the nature of Writ of Mandamus, directing the respondents to release the Petitioner's Tata Super Ace Four Wheeler bearing Registration No.KA.08.6796 which was seized by the respondents.

2. The District Revenue Officer who has been impleaded as R2 has passed a final order on 21.11.2019 in Na.Ka.No.17232/2018/F6. As against this, an appeal has to be filed before the concerned District Court. Consequently, the Writ Petition is not maintainable before this Court. The petitioner is granted liberty to file a regular appeal before the Principal District Court, Krishnagiri. If an appeal is filed, the period during which the present Writ Petition was pending before this Court from 24.04.2019 to 10.12.2019 may be considered as bonafide proceedings of a legal issue.

3. With the above observations, this Writ Petition stands disposed of. No Costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

smv

To,

1.The Principal District Judge, Krishnagiri

2. The CSID (Food Cell)
Inspector of Police,
Krishnagiri Police Station,
Krishnagiri District.

3.The District Revenue Office,
Collector Office, Krishnagiri,
Krishnagiri District.

+1 cc to Mr.S.Paul Ganamuthu Advocate sr 103425
+1 cc to the Government Pleader sr103129

W.P.No.13891 of 2019

aa22/01/2020