

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 15415 of 2019

Dhanavel

... Petitioner

Vs.

1. The Regional Director,
Reserve Bank of India,
No.16, Fort Glacis Building,
Rajaji Salai, Chennai - 600 001.
 2. The District Treasury Officer,
Perambalur, Perambalur District.
 3. The Inspector of Police,
Kunnam Police Station, Perambalur District.
 4. The Chief Electoral Officer,
Secretariat, Fort St. George,
Chennai - 9.
- (R4 - Impleaded as per order
dated 08.08.2019)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to return the money of a sum of Rs. 92,000/- seized by the Third Respondent concerned in Crime No. 312 of 2016 which was deposited into Government Treasury/Second Respondent forthwith.

For Petitioner : Mr. C. Prabakaran

For Respondents : Mr. Chevannan Mohan
For M/s. King and Patridge (For R1)

Mr. M. Karthikeyan
Additional Government Pleader for R2&R3

Mr. Niranjan Rajagopal
for M/S G.R.Associates for R4

O R D E R

This Writ Petition has been filed for a direction to the Respondents to return the seized currency by the Third Respondent in Crime No. 312 of 2016, which was deposited into Government Treasury/Second Respondent forthwith.

2. The Petitioner had earlier made an application for return of the seized currency before the Judicial Magistrate Court, Perambalur and the same was rejected by order dated 12.12.2016. However, he had not preferred any further proceedings impeaching that order and instead, has filed the present Writ Petition. In the aforesaid circumstances, Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to challenge the correctness of the order dated 12.12.2016 passed by the Judicial Magistrate Court, Perambalur in Crime No. 312 of 2016 in appropriate legal proceedings and he has also made an endorsement to this effect.

3. Recording the same, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

arb/maya

To

1. The Regional Director,
Reserve Bank of India,
No.16, Fort Glacis Building,
Rajaji Salai, Chennai - 600 001.
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3. The Inspector of Police,
Kunnam Police Station, Perambalur District.
4. The Chief Electoral Officer,
Secretariat, Fort St. George,
Chennai - 9.

+1cc to Mr. C. Prabakaran, Advocate Sr.87286
+1cc to M/s. King and Patridge, Advocate SR.87096

+1cc to Mr. Niranjan Rajagopal for M/S G.R.Associates, SR.87027

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KS (CO)
CB (04/11/2019)