

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.23659 of 2019

Thomas Zachariah

.. Petitioner

..Vs..

1. The District Revenue Officer,
Coimbatore District,
Collector Office Complex,
Coimbatore - 641 018.

2. The Inspector of Police,
CSCID Police Station, Thanneerpandal,
Peelamedu, Coimbatore.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 20.07.2019 and release the petitioner's "Maruti Esteem Car" bearing registration No.KL-03-Q-3673 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.Swaminathan

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 1st respondent to release the Vehicle, Maruti Esteem Car, bearing registration No.KL-03-Q-3673 seized by the Inspector of Police, Civil Supplies CID Police Station, Thanneerpandal, Peelamedu, Coimbatore.

2. Mr.R.Govindasamy, learned Special Government Pleader, who takes notice for the respondents stated that the 1st

respondent namely, the District Revenue Officer, Cuddalore, has passed a considered order on 05.07.2019 in Na.Ka.No.1991/2019/k5 and counter affidavit of R1 and R2 has been filed to that effect. The petitioner has now two choices either he has to pay the said amount and take return of the vehicle or he can file an application before the District Court Coimbatore, under the provision of the Act. It is for the petitioner to workout his remedy.

3. The learned counsel for the petitioner however stated that since it has been disclosed that the order was passed on 05.07.2019, in all probability the limitation for filing the appeal would have long expired. Accordingly, the period during which the petitioner had prosecuted before this Court namely, from 05.08.2019 till today is to be excluded from calculation of any period of limitation and further since the learned counsel for the petitioner states that he has not been served with the copy of the order, the 1st respondent is directed to serve a fresh copy of the order and the limitation will commence from the date of actual service on the petitioner of the copy of the order.

4. Recording the same, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To,

1. The District Revenue Officer,
Coimbatore District,
Collector Office Complex,
Coimbatore - 641 018.
2. The Inspector of Police,
CSCID Police Station, Thanneerpandal,
Peelamedu, Coimbatore.

+1cc to Government Pleader SR.NO. 103128

W.P.No.23659 of 2019

sr(co)
nr 23/01/2020