

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.2079 of 2018

The District Revenue Officer,
Erode,
Erode District.

... Appellant

Vs

C.Thomson,
S/o.Chithiraipandi Nadar,
No.39/189, Mettur Main Road,
Kesarimangalam Post,
Bhavani Taluk,
Erode District.

... Respondent

PRAYER : Appeal against the order dated 21.01.2015 made in
W.P.No.1350 of 2015 on the file of this Court.

Prayer in W.P.No.1350 of 2015: Writ petition filed under
Article 226 of the Constitution of India for the issuance of
writ of Mandamus directing the respondent to release the Eicher
Van bearing Registration No.TN-02-Y-3337 seized by the Inspector
of Police, Civil Supplies CID, Erode, Erode District on
11.10.2013 to the petitioner.

For Appellants : Mr.V.Anandhamoorthy,
Additional Government Pleader

For Respondent : Mr.C.Prakasam

J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

The Appeal has been preferred by the Government against the
order passed by the learned single Judge in W.P.No.1350 of 2015
on 21.01.2015, directing the respondent to release the Eicher Van
bearing Registration No.TN 02 Y 3337 which has been seized as
early as on 11.10.2013.

2.The learned single Judge passed an order in W.P.No.1350 of 2015 on 21.01.2015 to release the vehicle on certain conditions. If the vehicle is continuously kept idle under police custody, definitely it will lose road worthiness and it would become a scrap which will not be in the interest of the revenue Department as well as the respondent and therefore, this Court is of the opinion that the conditions imposed by the learned single Judge are perfectly worded. The respondents are directed to act as per the order of the learned single Judge.

3.With regard to 6(A) enquiry, even though notice was received by the respondent he has not taken part in the proceedings. Therefore, the respondent is directed to appear before the authority for 6(A) enquiry on 04.11.2019.

4.Accordingly, the Writ Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

sai

To

The District Revenue Officer,
Erode,
Erode District.

+1 cc to Mr.C.Prakasam, Advocate, S.R.No.88982

+1 cc to the Government Pleader, S.R.No.89185

सत्यमेव जयते

W.A.No.2079 of 2018

KS (CO)
SSM(01/11/2019).

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