



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Rev Aplw (MD)No.129 of 2019

P.Manokaran

... Review Petitioner /Third Party

Vs.

1.C.Palaniyamal

...1st respondent / petitioner

2.The Sub Collector,
Sub Collector's Office,
Musiri, Trichy District.

3.The Inspector of Police,
Thottiyam Police Station,
Trichy District.

4.The Assistant Director,
Tamil Nadu Mines and Minerals,
Collector Office, Cantonment,
Trichy District.

... 2nd to 4th Respondents /
Respondents 1 to 3

Prayer : This Review Application is filed under Order 47 Rule 1 r/w. Section 114 of the Civil Procedure Code, to review the order passed in WP(MD)No.2830 of 2019 dated 08.02.2019.

Prayer in WP(MD). 2830/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 1st respondent to release the Lorry multi axle bearing registration No. TN 30 AX 2196, seized on 03.08.2018, which is under the custody of the 2nd Respondent by considering the petitioner representation dated 31.01.2019 within a timeframe that may be stipulated by this Honble Court.

For Petitioner : Mr.R.Anand for Mr.K.Sankar

For Respondents : Mr.M.Rajarajan,
Government Advocate for R2 to R4

No appearance for R1



ORDER

The first respondent herein filed WP(MD)No.2830 of 2019 seeking release of the vehicle bearing Registration No.TN 30 AX 2196. When the writ petition was taken up for hearing, a submission was made that the vehicle in question was not involved in any previous incident of sand theft or illegal transportation of sand. Recording the said submission, relief was granted. It was however observed in the said order that if the said submission turns out to be false, the order passed in the writ petition would automatically stand recalled and the petitioner will be visited with serious consequences.

2.The petitioner herein is a third party to the said proceedings. He brings it to the notice of this Court by filing this review application that the submission made by the first respondent/writ petitioner is a false one. To substantiate the same, he has enclosed an information obtained by him under the RTI Act from the Public Information Officer, RDO Office, Musiri. It appears therefrom that even in the year 2017, the vehicle in question was involved in a case of sand theft. Since convincing materials have been placed before me, I am bound to take serious note of the same. However, I am not inclined to review the order earlier made by me. This is because, no purpose will be served by seizing the vehicle in question. However, making a false statement before a court of law certainly constitutes an act of contempt.

3.Therefore, even while closing this review application, I direct the Registry to register a suo motu contempt case against the first respondent/writ petitioner and issue notice to her. With this direction, this review application is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Skm

To

1.The Sub Collector, Sub Collector's Office,
Musiri, Trichy District.

2.The Inspector of Police, Thottiyam Police Station,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Assistant Director, Tamil Nadu Mines and Minerals,
Collector Office, Cantonment, Trichy District.

Copy to:

1.The Additional Registrar General,
Madurai Bench of Madras High Court, Madurai.

2.The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Special Govt. Pleader, SR.No.100346

Rev Aplw (MD)No.129 of 2019
20.11.2019

JMN(02.12.2019) 3P : 7C