



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.05.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.10560 of 2019

S.R.Mahesh

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Taluk Office,
Cheranmahadevi,
Tirunelveli District.

3.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated on 24.04.2019 and release the petitioner's Mango Tree Woods sized on 22.03.2019, hand over to petitioner.

For Petitioner :Mr.V.Rajarajan

For Respondents :Mr.A.Muthu Karuppan
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner's vehicle along with wooden log was seized by the first respondent. This Court, by order dated 29.03.2019 in W.P.(MD)No.7565 of 2019 directed the respondents to release the vehicle alone. The said order has since been complied with and the Sub Collector, Cheranmahadevi, has issued proceedings dated 15.04.2019 in that regard. But then, the wooden log of the writ petitioner lying with the third respondent. Seeking its release, this writ petition has been filed.



3. This Court called upon the learned Additional Government Pleader appearing for the respondents to say if any FIR has been registered against the writ petitioner. The answer is in the negative. Then, this Court wanted to know under what proceedings, the wooden log has been detained. Again it is seen that there is no formal proceedings for detaining the wooden log in question. It appears that the Sub Collector has seized the wooden log and handed over to the third respondent. When the valuable property of the citizen is seized, it must be on some basis. Without any basis, merely on suspicion, the property cannot be seized and detained.

4. In this view of the matter, this Court directs the respondents to release the petition mentioned wooden log that was seized on 22.03.2019 forthwith and without any delay. The writ petition stands allowed. No Costs.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Taluk Office,
Cheranmahadevi,
Tirunelveli District.

3.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.

+1CC TO MR.S.SATHYA CHIDAMBARAM, Advocate Sr. No. 65549

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GRL(CO)

TR (28.05.2019) 2P 5C

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