



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11265 of 2019

Balasundaram

... Petitioner

Vs

1. The Revenue Divisional Officer,
Paramakudi Revenue Division,
Ramanathapuram District.
2. The Assistant Director (Mines and Minerals)
Office of the Assistant Director (Mines and Minerals)
Ramanathapuram District.
3. The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus thereby direct the respondents to release the petitioner's vehicle ie., Hero Honda Motor Cycle bearing Registration No.TN 65 V 2424, seized by the third respondents on 20.12.2018 at nearby T.Vallakulam Village, Krithumaal River, now in custody of third respondents police station and entrust the same to the petitioner.

For Petitioner : Mr.G.Vishnuram

For Respondents : Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner's vehicle was seized in connection with illegal transportation of sand. The enquiry in this regard is still pending. The learned counsel for the petitioner affirms before this Court that the petitioner's vehicle was not involved in any previous incident of sand theft or illegal transportation of sand.

3.The submission of the learned counsel for the petitioner is placed on record. If this submission turns out to be false, the order now passed by this Court would stand automatically recalled and the petitioner will be visited with serious consequences. I am of the view that no purpose will be served by keeping the vehicle in question in the custody of the respondents. If the vehicle is kept in open space and exposed to sun light and rain, it would lose its value. Therefore, the respondents are directed to release the petitioner's vehicle forthwith and without any delay.



4. Accordingly, this writ petition is allowed. No costs.

sd/
Vacation Officer(AR)

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Sub Assistant Registrar(CS-II)

To

1. The Revenue Divisional Officer,
Paramakudi Revenue Division,
Ramanathapuram District.
2. The Assistant Director (Mines and Minerals)
Office of the Assistant Director (Mines and Minerals)
Ramanathapuram District.
3. The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

+1 CC to Mr.G.VISHNURAM, Advocate (SR-64858[F] dated 02/05/2019)
+1 CC to SPL GP (SR-65169[F] dated 03/05/2019)

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30.04.2019

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