



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) Nos.11736, 11754 and 11770 of 2019

WEB COPY

Senthil ... Petitioner in W.P. (MD) No.11736 of 2019
Kasi ... Petitioner in W.P. (MD) No.11754 of 2019
Dharmanathan ... Petitioner in W.P. (MD) No.11770 of 2019

Vs

1.The Assistant Director (Mines),
Department of Mines & Minerals,
Collectorate, Sivagangai District

2.The Inspector of Police,
Kalyarkoil Police Station,
Sivagangai District.

3.The Revenue Divisional Officer,
Sivagangai, Sivagangai District. ... Respondents in all W.Ps
(R3 is suo motu impleaded vide Court order dated 09.05.2019)

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to implement the order passed in Crl.M.P.Nos.1255, 7977 and 6760 of 2018, dated 11.04.2019 respectively, on the file of the learned Judicial Magistrate No.I, Sivagangai to release the Tipper Lorry bearing Registration Nos:TN 54 -A- 8163, TN 63 AA 5071 and TN 63 K 6399 respectively, to the petitioner.

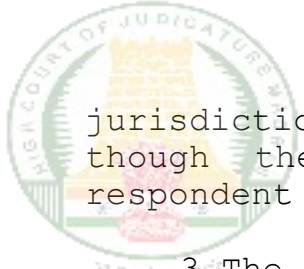
For Petitioner : Mr.V.Kannan(in all WP's)

For Respondents : Mr.A.Muthu Karuppan
Additional Government Pleader
(in all WP's)

COMMON ORDER

Heard the learned counsel on either side.

2.In these writ petitions, the vehicles belonging to the writ petitioners were seized on the ground that they were engaged in illegal transportation of sand. The vehicles were produced before the Jurisdictional Magistrate and crime numbers had been registered. The petitioners filed a petition under Section 457 of Cr.P.C. for return of the petition mentioned vehicles. The learned Jurisdictional Magistrate directed to release the vehicles subject to certain conditions. One of such condition is that the vehicles are to be returned upon conclusion of the proceedings before the



jurisdictional authority. The petitioners' grievance is that even though the order was passed quite sometime back, the third respondent has not returned the the vehicles.

3.The learned Additional Government Pleader appearing for the respondents submitted that the third respondent is having some doubt with regard to the orders passed by the learned Jurisdictional Magistrate and that is why, the matters have been kept pending. When the Jurisdictional Magistrate has given a direction that the vehicles are to be returned upon conclusion of the proceedings, the authority is obliged to conclude the proceedings. At this stage, the learned Additional Government Pleader submitted that the third respondent will conclude the proceedings within a period of two weeks from today.

4.The writ petitions are disposed of with this direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

- 1.The Judicial Magistrate No.I,
Sivagangai.
- 2.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
- 3.The Inspector of Police,
Kalyarkoil Police Station,
Sivagangai District.
- 4.The Assistant Director (Mines),
Department of Mines & Minerals,
Collectorate, Sivagangai District

+3ccs to Mr.V.KANNAN, Advocate, SR.No. 65488,65487,65486

W.P. (MD) Nos.11736, 11754 and 11770 of 2019

IAS

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