



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) Nos. 4553 to 4555 of 2019

Kathiravan ... Petitioner in W.P. (MD) No. 4553 of 2019
Mohan ... Petitioner in W.P. (MD) No. 4554 of 2019
Chithradevi ... Petitioner in W.P. (MD) No. 4555 of 2019

Vs

1. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2. The Assistant Director,
Mines and Minerals Department,
Ramanathapuram District.

3. The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.

... Respondents in all W.Ps.

Prayer in W.P. (MD) No. 4553 of 2019:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to release the petitioner's lorry bearing Registration No. TN-65-AW-5083 Engine No. ISB59B4S180K181J63725553, Chassis No. MAT448833J3J27906, seized by the third respondent police on 14.02.2019, by consider the petitioner's representation dated on 20.02.2019 within a time stipulated by this Court.

Prayer in W.P. (MD) No. 4554 of 2019:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to release the petitioner's lorry bearing Registration No. TN-63-M-9295 Engine No. 693TC66N2Y132168, Chassis No. MAT361097A2P21791, seized by the third respondent police on 14.02.2019, by consider the petitioner's representation dated on 20.02.2019 within a time stipulated by this Court.

Prayer in W.P. (MD) No. 4555 of 2019:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to release the petitioner's lorry bearing Registration No. TN-58-Y-1063 Engine No. 01S1054010, Chassis No. 01S1054010, seized by the third respondent police on 14.02.2019, by consider the petitioner's representation dated on 20.02.2019 within a time stipulated by this Court.



For Petitioner : Mr.T.Veerakumar
(in both W.Ps.)
For Respondents : Mr.K.MU.Muthu
(in both W.Ps.) Additional Government Pleader

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COMMON ORDER

Heard the learned counsel on either side.

2.One Balusamy was permitted by the Agricultural Engineering Department to dig farm pond. The petitioners herein had let out their vehicles namely two dipper lorry and one JCB on hire to the said Balusamy.

3.When the digging work was going on, the two lorries as well as JCB were seized. These writ petitions have been filed seeking their return.

4.The learned Additional Government Pleader informed the Court that even though the work order was obtained in respect of Survey No. 20/4, it was actually being done in Survey No.20/9A. Since river sand is not involved and since on the face of it appears that the petitioners had only given their vehicles on hire in favour of somebody who was given work order by the Agricultural Engineering Department, I am of the view that the seized vehicles can be directed to be released without any deposit. The respondents are directed to release the petition mentioned vehicles forthwith to the respective petitioners. These writ petitions stand allowed accordingly. No costs.

Sd/-

Assistant Registrar (CO)

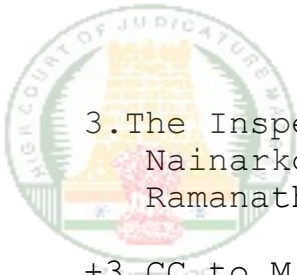
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Sub Assistant Registrar(CS II)

To

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Assistant Director,
Mines and Minerals Department,
<https://hcservices.ecourts.gov.in/hcservices/>
Ramanathapuram District.



3.The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.

+3 CC to M/s.T.VEERA KUMAR, Advocate (SR- Nos.51875,51877,51876)

+1 CC to M/s.SPL GP (SR-Nos.51994,51995)

W.P.(MD)Nos.4553 to 4555 of 2019

05.03.2019

DS/ /SAR- (12.03.2019) 3P 8C