



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.5052 of 2019

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P.Sekar

... Petitioner

Vs

1.The Assistant Director of Geology and Mining,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Srirangam,
Trichy District.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to release the petitioner's Tipper Lorry bearing Registration No.TN-15-Z-9612 seized by the third respondent on 18.02.2019 to the petitioner.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side. By consent of both parties this writ petition is taken up for final disposal at the admission stage itself.

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 vehicle forthwith and without any delay.



4.The writ petition is allowed accordingly. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CO)

Sub Assistant Registrar (CS II)

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To

1.The Assistant Director of Geology and Mining,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Srirangam,
Trichy District.

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

1 CC to M/s.SPL GP (SR-51982[F] dated 06/03/2019)

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-51893[F] dated
06/03/2019)

W.P. (MD) No. 5052 of 2019
05.03.2019

DS/ /SAR- (12.03.2019) 2P 6C