



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

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

W.P. (MD) No.5098 of 2019

Sankaralingam

... Petitioner

Vs

1.The District Collector,
Thanjavur District.

2.The Assistant Director,
Mines and Minerals Department,
Collectorate,
Thanjavur.

3.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

4.The Tahsildar,
Thiruvidaimaruthur,
Thanjavur District.

5.The Inspector of Police,
Panthanallur Police Station,
Thanjavur 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 registered TVS XL Super Two Wheeler bearing No.TN 68 Y 0135.

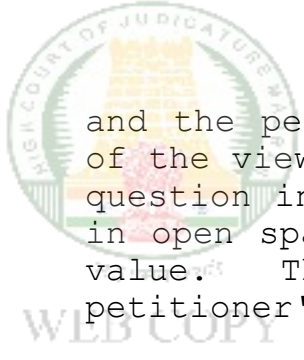
For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

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.⁴⁵ Therefore, the respondents are directed to release the petitioner's vehicle forthwith and without any delay.

4.The Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Thanjavur District.
- 2.The Assistant Director,
Mines and Minerals Department,
Collectorate,
Thanjavur.
- 3.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.
- 4.The Tahsildar,
Thiruvidaimaruthur,
Thanjavur District.
- 5.The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.

+1cc to Mr.P.GANAPATHI SUBRAMANIAN, Advocate, SR.No.52067

+1cc to M/s.Special Government Pleader,SR.No. 52001

W.P.(MD)No.5098 of 2019

05.03.2019

PNN

KK/SAR-/13.03.2019/2P-8C