



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 06.03.2019

CORAM:

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

W.P. (MD) No.5290 of 2019

Thenmalaiyandi

... Petitioner

Vs

1.The Revenue Divisional Officer,
Madurai Revenue Division,
Madurai.

2.The Assistant Director of Mines and Minerals,
Madurai District, Madurai.

3.The Sub Inspector of Police,
Saptur Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the third respondent to release the petitioner tractor bearing registration No.TN 49 AX 9628 tractor and trailer and keeping under the custody of the third respondent by consider the petitioner's representation dated 13.11.2018.

For Petitioners : Mr.T.Vadivelan

For Respondents : Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks release of the petition mentioned vehicle.

3. The learned Additional Government Pleader informs the Court that the vehicle in question was already produced before the jurisdictional Magistrate. The petitioner had filed an application and an order was passed granting interim custody to the petitioner on payment of Rs.50,000/- (Rupees Fifty Thousand only). Without honouring the said order, the writ petitioner had filed this writ petition. When the petitioner had already obtained a judicial order from the jurisdictional Magistrate, the writ petition for the same relief will not lie.

4. Accordingly, the Writ Petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //



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To

1.The Revenue Divisional Officer,
Madurai Revenue Division,
Madurai.

2.The Assistant Director of Mines and Minerals,
Madurai District, Madurai.

3.The Sub Inspector of Police,
Saptur Police Station, Madurai District.

+1 CC to M/s.SPL GP (SR-52226[F] dated 07/03/2019)

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DS/ /SAR- (12.03.2019) 2P 5C