



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.5308 of 2019

N.Raj Kumar

... Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Assistant Director,
Geology and Mining Department,
Trichy District, Trichy.

3.The Tahsildar,
Mannachanallur Taluk, Trichy District.

4.The Inspector of Police,
Vatahalai Police Station,
Trichy District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to release the petitioner's lorry ASHOKE LAYLAND DOST STONG MINI bearing Registration No.TN 48 AF 4997.

For Petitioner	:	Mr.A.Azhageson
For Respondents	:	Mr.R.Sethuraman Special Government Pleader

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. The petitioner's vehicle was seized in connection with illegal transportation of sand. The petitioner seeks release of the said vehicle.

2.When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents pointed out that as many as five cases of the similar nature have been registered against the writ petitioner and that they are still pending. The writ petitioner appears to be a habitual offender. Therefore, the jurisdiction of this Court cannot be exercised in favour of the writ petitioner. This writ petition is dismissed. However, liberty is given to the writ petitioner to move the concerned jurisdictional magistrate for relief. The jurisdictional police are directed to produce the vehicle in question before the concerned Judicial Magistrate without any delay.



3. With this liberty, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

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// True Copy //

Sub Assistant Registrar (CS)

Skm

To

1. The District Collector,
Trichy District, Trichy.
2. The Assistant Director,
Geology and Mining Department,
Trichy District, Trichy.
3. The Tahsildar,
Mannachanallur Taluk, Trichy District.
4. The Inspector of Police,
Vatahalai Police Station, Trichy District.

+1CC TO MR.A.AZHAGESON, Advocate Sr. No.52499

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 52583

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TR (15.03.2019) 2P 7C