



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.6282 of 2019

A.Harikumar

... Petitioner

Vs

1.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Civil Supplies CID,
Kuzhithruai at Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to release the Tempo Bearing Registration No.TN-75-AC-8784 seized by the second respondent on 11.02.2019 to the petitioner.

For Petitioner : Mr.T. Leninkumar

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 Crime No. 24 of 2019, registered on the file of the second respondent, for violation of principles of the Essential Commodities Act. The learned counsel for the petitioner affirms before this Court that the petitioner's vehicle was not involved in any previous incident.

3. 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 said vehicle subject to the following conditions.

<https://hcservices.ecourts.gov.in/hcservices/>

a) The petitioner shall produce document before the first



respondent under whose custody the vehicle is kept, to establish the ownership of the vehicle in question;

b) the petitioner shall deposit a sum of Rs.10,000 (Rupees Ten Thousand only) before the first respondent herein;

c) the petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondents;

d) the petitioner is also directed to participate in the enquiry to be conducted by the first respondent.

e) the petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned.

4. Upon completion of these formalities, the respondents shall release the vehicle forthwith without any delay.

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Civil Supplies CID,
Kuzhithruai at Nagercoil,
Kanyakumari District.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-54779[F] dated 18/03/2019)

+1 CC to M/s.SPL GP (SR-54951[F] dated 19/03/2019)

TRP

TE : 27/03/2019 : 2P/5C

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