



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6607 of 2019

T. Anandakrishnan

... Petitioner

Vs.

1. The Sub Collector,
Divisional Office,
Kumbakonam.

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

3. The Inspector of Police,
Papanasam Police Station,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to release petitioner's vehicle namely Tipper Tractor bearing registration No. TN-49-W-0545 within the time stipulated by this Court.

For Petitioner
For Respondents

: Mr. R. Narayanan
: Mr. M. Rajarajan
Government Advocate

ORDER

The petitioner's vehicle was seized by the police and handed over to the first respondent on 12.09.2018. It is in the custody of the first respondent ever since. Seeking its release, this writ petition has been filed. On the same day, not only the petitioner's vehicle but also one JCB was seized.

2. Taking note of the special facts obtaining in this case, this Court, by order dated 15.02.2019 in W.P. (MD) No. 2460 of 2019, directed the respondents to release the JCB with usual condition to pay a sum of Rs. 75,000/- was waived.



3.The case on hand will also have to be dealt with alike. Therefore, this Court dispenses with the usual condition to deposit a sum of Rs.50,000/- in the cases of lorries.

4.The respondents are directed to release the vehicle subject to the following conditions:-

"1.The petitioner shall execute an affidavit of undertaking before the first respondent that the petitioner shall fully co-operate with the proceedings that may be initiated by the respondents or any other competent authority in this regard.

2.The petitioner shall produce all the relevant documents that would indicate his ownership over the vehicle."

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Collector,
Divisional Office,
Kumbakonam.
2. The Assistant Director,
Mines and Minerals Department,
Collectorate Campus,
Thanjavur.
3. The Inspector of Police,
Papanasam Police Station,
Thanjavur District.

+1 CC to M/s.R.NARAYANAN, Advocate (SR-55236[F] dated 20/03/2019)
+1 CC to M/s.SPL GP (SR-55643[F] dated 21/03/2019)

RMI

TE : 27/03/2019 : 2P/6C

W.P. (MD) No.6607 of 2019
20.03.2019