



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

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

W.P. (MD) No.6728 of 2019

R.Vijayan

... Petitioner

Vs

1.The District Revenue Officer,
Kanyakumari District.

2.The Inspector of Police,
Civil Supply CID-Madurai,
Kuzhithurai Police Station,
Kanyakumari District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondents to release the petitioner's Chevrolet Tavera bearing Registration No.KL-09R-586 seized by the second respondent on 18.12.2018, now under the custody of the second respondent.

For Petitioner : Mr.R.Russel Raj

For R1 : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petition mentioned vehicle was seized in connection with transportation of essential commodities on 18.12.2018. A criminal case is said to have been registered.

3.I am of the view that there is no purpose in keeping the vehicle in question in the custody of the respondents. Without prejudice to the power of the respondents to confiscate the vehicle in question in accordance with law, the respondents are directed to release the vehicle and hand over the same to the writ petitioner subject to fulfilment of the following conditions:

- a) The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle.
- b) As and when the respondents call for the vehicle for enquiry, the petitioner has to produce the vehicle in question and he shall cooperate with the enquiry to be conducted by the respondents.



4. Upon completion of these formalities, the respondents shall release the vehicle forthwith without any delay. If this undertaking given by the petitioner is breached, the petitioner will not be entitled to interim release of the vehicle in future.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The District Revenue Officer,
Kanyakumari District.

2. The Inspector of Police,
Civil Supply CID-Madurai,
Kuzhithurai Police Station,
Kanyakumari District.

+1CC TO MR.R.RUSSEL RAJ, Advocate Sr. No.55598

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 56113

W.P. (MD) No. 6728 of 2019

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TR (04.04.2019) 2P 5C