



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

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

W.P. (MD) No.6985 of 2019

Tamilalagan

... Petitioner

Vs

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

2.The Assistant Director,
Geology and Mining Department,
Madurai.

3.The Inspector of Police,
M.Kallupatti Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to release the petitioner's Tractor bearing Registration No.TN-21, AD-4330 and trailer bearing Registration No.TN-58 K 8605 from the custody of the 3rd respondent by considering the petitioner's representation, dated 12.03.2019 within a time framed fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.K.Mu.Muthu
Additional 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.

2.The petitioner seeks release of the petition mentioned vehicle, which was seized in connection with Crime No.28 of 2019, on the file of the Inspector of Police, M.Kallupatti Police Station, Madurai District. It is seen that the vehicle was already produced before the jurisdictional magistrate. The petitioner filed a petition under Section 451 of Cr.P.C. before the jurisdictional magistrate but it was returned on the ground that it is only the Special Court, which has to deal with the matter. The Special Court is yet to be constituted. Therefore, the petitioner is permitted to file a fresh application before the jurisdictional magistrate and



the learned jurisdictional magistrate shall entertain the petitioner's application for release of the vehicle and dispose of the petitioner's application on merits and in accordance with law.

3. With the above liberty, the Writ Petition is closed. No costs.

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Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Revenue Divisional Officer,
Revenue Divisional Office,
Madurai.
- 2.The Assistant Director,
Geology and Mining Department,
Madurai.
- 3.The Inspector of Police,
M.Kallupatti Police Station,
Madurai District.

+1cc to Mr.J.SENTHIL KUMARAI AH, Advocate, SR.No.56674

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