



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 7363 of 2019

Sabarinathan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Musiri Revenue Division Office,
Musiri, Trichy District.

2. The Assistant Director of Mines and Minerals,
Trichy District,
Trichy.

3. The Inspector of Police,
Vathalai Police Station,
Vathalai,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus by directing the third respondent to release the petitioner's Ashok Leyland Lorry bearing registration No. TN 29 AX 1334, seized on 05.09.2018 and keeping under the custody of the third respondent by consider his representation dated 07.09.2018.

For Petitioner : Mr. K. Arunraj

For Respondents : Mr. M. Rajarajan
Government Advocate

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's vehicle was seized in connection with illegal transportation of sand. The same has been produced before the Jurisdictional Magistrate. The Magistrate however declined to give relief to the petitioner. This Court permits the petitioner to move the Jurisdictional Magistrate once again by filling a petition under Section 451 of Cr.P.C., The Jurisdictional Magistrate is directed to entertain the said petition and dispose of the same on merits and in accordance with law.



2. With this liberty to the petitioner, this writ petition stands closed. No costs.

Sd/-

Assistant Registrar (AD I)

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// True Copy //

Sub Assistant Registrar (CS)

To

1. The Revenue Divisional Officer,
Musiri Revenue Division Office,
Musiri, Trichy District.
2. The Assistant Director of Mines and Minerals,
Trichy District,
Trichy.
3. The Judicial Magistrate, Musiri.
4. The Inspector of Police,
Vathalai Police Station,
Vathalai,
Trichy District.

+1cc to Mr.K.ARUNRAJ, Advocate, SR.No.57471

W.P. (MD) No. 7363 of 2019

VSG

KK/SAR-/28.03.2019/2P-6C