



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7539 of 2019

Kesavan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kumbakonam Taluk,
Thanjavur District.

2. The Assistant Director,
Department of Geology and Mining,
Thanjavur District.

3. The Tahsildar,
Kumbakonam Taluk, Thanjavur District.

4. The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to release Hero Motor Cycle Splendor Plus bearing Registration No.TN 68-W-7814 seized by the fourth respondent on 09.10.2018 by considering the petitioner's representation dated 20.10.2018 within the time limit stipulated by this Court.

For Petitioner : Mr.M.Karunanithi
For Respondents : Mr.M.Rajarajan,
Government Advocate.

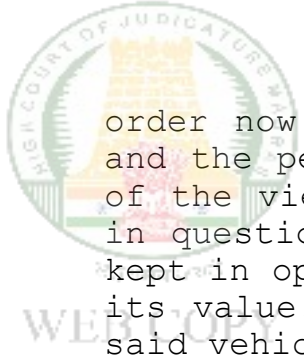
O R D E R

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 enquiry in this regard is still pending. The learned counsel for the petitioner affirms before this Court that the petitioner's vehicle was not involved in any previous incident of sand theft or illegal transportation of sand.

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

3.The submission of the learned counsel for the petitioner is placed on record. If this submission turns out to be false, the



order now passed by this Court would stand automatically recalled and the petitioner will be visited with serious consequences. 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.

" (i) The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle.

(ii) 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.The Writ Petition is allowed accordingly. There shall be no order as to costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

pmu

To

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kumbakonam Taluk, Thanjavur District.
2. The Assistant Director,
Department of Geology and Mining,
Thanjavur District.
3. The Tahsildar,
Kumbakonam Taluk, Thanjavur District.
4. The Inspector of Police,
Panthanallur Police Station, Thanjavur District.

+1CC TO MR.M.KARUNANITHI, Advocate Sr. No. 57851
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.58106

W.P.(MD)No.7539 of 2019
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