



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 29.03.2019

CORAM:

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

W.P. (MD) No.7565 of 2019

S.R.Mahesh

... Petitioner

Vs.

1. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Cheranmahadevi,  
Tirunelveli District.

2. The Tahsildar,  
Taluk Office,  
Cheranmahadevi, Tirunelveli District.

3. The Inspector of Police,  
Cheranmahadevi Police Station,  
Tirunelveli District.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.03.2019 and release the petitioner's lorry bearing Registration No.TN 74-AR-8830 seized on 22.03.2019 hand over to the petitioner.

|                 |                                             |
|-----------------|---------------------------------------------|
| For Petitioner  | : Mr.S.Sathya Chidambaram                   |
| For Respondents | : Mr.M.Karuppasamy,<br>Government Advocate. |

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### O R D E R

Heard the learned counsel on either side.

2. The petitioner wants to release the petition mentioned lorry which was seized by the respondents as it was found to have been transporting wooden logs without permission. The petitioner would state that permission is not required. But then, this is a subject matter of enquiry and it will be pre-mature to make any pronouncement of this issue. However, the petitioner's lorry need not be detained till the enquiry is concluded.

3. Therefore, the respondents are directed to release the petitioner's lorry subject to the following conditions:-

(i) The petitioner will produce the ownership documents indicating that the petition mentioned vehicle belongs to him.

(ii) The authorities will take photographs and prepare Panchnama for later purposes.

(iii) The petitioner will execute an affidavit of



undertaking that he will cooperate with the enquiry and produce the vehicle as and when required.

(iv) The petitioner will give an undertaking not to alienate the vehicle and encumber in any manner till the enquiry proceedings are concluded.

(v) Subject to completion of all these formalities, the respondents will hand over the vehicle to the petitioner. It is made clear that the wooden logs will be retained by the respondents. This Court directs the respondents to release the vehicle alone.

3. This Writ petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Cheranmahadevi,  
Tirunelveli District.
2. The Tahsildar,  
Taluk Office, Cheranmahadevi, Tirunelveli District.
3. The Inspector of Police,  
Cheranmahadevi Police Station, Tirunelveli District.

+1cc to Mr.S.SATHYA CHIDAMBARAM, Advocate, SR.No.58011  
+1cc to M/s.Special Government Pleader,SR.No. 58134

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PMU

KK/SAR/02.04.2019/ 2P- 6C