



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.7629 of 2019

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Tamil

... Petitioner

Vs

1.The Assistant Director,
Mines and Minerals,
Virudhunagar District.

2.The Revenue Divisional Officer/
Sub Collector,
Revenue Divisional Office,
Sivakasi, Virudhunagar District.

3.The Sub-Inspector of Police,
Watrap Police Station,
Virudhunagar 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 and Trailer bearing Registration Nos.TN-67-AV-6545 and TN-67-AV-6554 and two wheeler bearing Registration No.TN.84-D-1292 within the time stipulated by this Court.

For Petitioner : Mr.M.Jothibas

For Respondents : Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

The writ petitioner's vehicle was seized in connection with illegal transportation of sand. The petitioner filed W.P.(MD) No.20453 of 2018, before this Court and this Court allowed the said writ petition and directed the petitioner to pay a sum of Rs.50,000/-. The petitioner complied with the said condition. The petitioner thereafter approached the respondents for release of the vehicle. By then, the vehicle was produced before the Jurisdictional Magistrate. The petitioner thereafter filed a petition under Section 451 of Cr.P.C. before the Jurisdictional Magistrate for release of the vehicle. The learned Jurisdictional Magistrate dismissed the petitioner's petition on the ground that he is not having jurisdiction to entertain the petition and it is only the Special Court, which can grant the relief to the writ petitioner. Hence, the petitioner filed this writ petition.

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

2.This Court permits the writ petitioner to move the



Jurisdictional Magistrate once again and the learned Jurisdictional Magistrate is directed to entertain the petitioner's petition and also allow the same, in view of the fact that the petitioner had already deposited a sum of Rs.50,000/-. The Writ Petition stands disposed of on these terms. No costs.

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Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

- 1.The Assistant Director,
Mines and Minerals,
Virudhunagar District.
- 2.The Revenue Divisional Officer/
Sub Collector,
Revenue Divisional Office,
Sivakasi, Virudhunagar District.
- 3.The Sub-Inspector of Police,
Watrap Police Station,
Virudhunagar District.

+1cc to Mr.M.Jothibas, Advocate, SR.No.58160

W.P. (MD) No.7629 of 2019
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SP/01.04.2019/ 2P/5C