



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 03.04.2019

CORAM:

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

W.P. (MD) No.7926 of 2019

and

W.M.P. (MD) No.6270 of 2019

F.John Bright

... Petitioner

Vs

1.The Sub Collector/Revenue Divisional Officer,
Thovalai Taluk,
District Court Campus,
Kanyakumari District.

2.The Assistant Director of Mines,
Department of Geology and Mining,
Kanyakumari District,
at Nagercoil.

3.The Inspector of Police,
Bhoothapandy Police Station,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent to release the vehicle TATA 407 Tempo bearing Registration No.TN 74 AA 7619, seized on 23.02.2019, which is in the custody of the respondent by considering the representation of the petitioner dated 26.03.2019 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.C.Herold Singh

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's vehicle was seized by the police in connection with criminal case pertaining to illegal transportation of sand. It was also produced before the learned Jurisdictional Magistrate. The learned counsel for the petitioner stated that an application filed by the petitioner for return of the vehicle was dismissed.



3. The petitioner is permitted to move the learned jurisdictional Magistrate under Section 451 Cr.P.C., and the learned Jurisdictional Magistrate is directed to entertain the application and dispose the same on merits and in accordance with law.

4. With the above liberty, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Sub Collector/Revenue Divisional Officer,
Thovalai Taluk,
District Court Campus,
Kanyakumari District.
2. The Assistant Director of Mines,
Department of Geology and Mining,
Kanyakumari District,
at Nagercoil.
3. The Inspector of Police,
Bhoothapandy Police Station,
Kanyakumari District.

+1CC TO MR.S.C.HEROLD SINGH, Advocate Sr. No. 58700

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 58900

W.P. (MD) No. 7926 of 2019

03.04.2019

TR (09.04.2019) 2P 6C