



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 05.04.2019

CORAM:

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

W.P. (MD) No.8268 of 2019

WEB COPY
Rajakumar

... Petitioner

Vs

1.The Assistant Director,
Mines and Minerals,
Nagercoil,
Kanyakumari District.

2.The Revenue Divisional Officer,
Padmanabapuram,
Thuckalay,
Kanyakumari District.

3.The Inspector of Police,
Eraniel 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 respondent Nos.2 & 3 to release the petitioner's Tata Tipper Tempo bearing Registration No.TN 74 E 2730 from their custody, since the petitioner's Tata Tipper Tempo is in 3rd respondent police station.

For Petitioner : Mr.R.Rajesh
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.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-)

WEB COPY

To

- 1.The Assistant Director,
Mines and Minerals,
Nagercoil,
Kanyakumari District.
- 2.The Revenue Divisional Officer,
Padmanabapuram,
Thuckalay,
Kanyakumari District.
- 3.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

+1cc to Mr.R.Rajesh,Advocate, SR.No.59853
+1cc to Special Government Pleader, SR.No.59679

W.P. (MD) No.8268 of 2019
05.04.2018

SP/12.04.2019/ 2P/6C