



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM:

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

**W.P. (MD) No.8669 of 2019**

WEB COPY

V.Vellaisamy

... Petitioner

Vs

1.The Assistant Director,  
Department of Geology and Mining,  
Taluk Office, 1<sup>st</sup> Floor,  
Palayamkottai Collectorate Complex,  
Kokkirakulam,  
Tirunelveli.

2.The Inspector of Police,  
Uthumalai Police Station,  
Tirunelveli 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 vehicle namely TVS Star City Two Wheeler bearing Registration No.76 Y 9986 within the time stipulated by this Court.

|                 |                                           |
|-----------------|-------------------------------------------|
| For Petitioner  | : Mr.V.B.Sundhareshwar                    |
| For Respondents | : Mr.M.Karuppasamy<br>Government Advocate |

**ORDER**

Heard the learned counsel on either side.

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.

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 forthwith and without any delay.

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4.The Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

Sub Assistant Registrar(CS III)

To

1.The Assistant Director,  
Department of Geology and Mining,  
Taluk Office, 1<sup>st</sup> Floor,  
Palayamkottai Collectorate Complex,  
Kokkirakulam, Tirunelveli.

2.The Inspector of Police,  
Uthumalai Police Station,  
Tirunelveli District.

1 CC to M/s.V.B.SUNDHARESHWAR, Advocate ( SR-60118[F] dated  
10/04/2019 )  
+1CC to The Special Government Pleader SR.No. 60536

**W.P. (MD) No. 8669 of 2019**

**10.04.2019**

**DS/ /SAR- (11.04.2019) 2P 5C**