



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2019

CORAM:

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

W.P. (MD) No.9067 of 2019

Nallathambi

... Petitioner

Vs

- 1.The District Collector,
Tanjore District,
Tanjore.
- 2.The Revenue Divisional Officer,
Tanjore District,
Tanjore.
- 3.The Assistant Director,
Mines and Minerals Department,
Tanjore District.
- 4.The Thasildar,
Musiri Taluk,
Tanjore District.
- 5.The Inspector of Police,
Budalur Police Station,
Tanjore District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the representations sent by this petitioner dated 05.04.2019 and direct the respondents to release two of his Asok Leyland Lorries bearing Registration No.TN 28 L 9969 & TN 28 AW 1292 respondent on 07.03.2018 and handover the same to the petitioner.

For Petitioner	: Mr.J.William Christopher
For Respondents	: Mr.M.Rajarajan
	Government Advocate

ORDER

The petition mentioned lorries were seized in connection with illegal transportation of sand. It were produced before the Jurisdictional Magistrate. It is stated that the learned Magistrate passed an order, directing interim release of the vehicles. But then, due to subsequent developments, the learned Magistrate is declined to accept the surety.



2.I am of the view that since the Special Court is yet to be constituted, the learned Magistrate is very much having authority and jurisdiction to grant the relief. In this case, an order had already been passed in favour of the writ petitioner for release of vehicles. The learned Magistrate is directed to accept the petitioner's surety in terms of the earlier order passed.

3.With this direction, the writ petition is disposed of .
No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

rmk

To

- 1.The District Collector,
Tanjore District,
Tanjore.
- 2.The Revenue Divisional Officer,
Tanjore District,
Tanjore.
- 3.The Assistant Director,
Mines and Minerals Department,
Tanjore District.
- 4.The Thasildar,
Musiri Taluk,
Tanjore District.
- 5.The Inspector of Police,
Budalur Police Station,
Tanjore District.
- 6.The Judicial Magistrate,
Tanjore District.

+1CC TO MR.J.WILLIAM CHRISTOPHER, Advocate Sr. No.61210
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.61257

W.P. (MD) No. 9067 of 2019
15.04.2019