



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 16.04.2019

CORAM:

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

**W.P. (MD) No.9261 of 2019**

WEB COPY

C.Ramaiya

... Petitioner

Vs

1.The Revenue Divisional Officer,  
Musiri Sub Division, Musiri Post and Taluk,  
Trichy District.

2.The Tahsildar,  
Taluk Office,  
Thottiyam Post and Taluk, Trichy District.

3.The Assistant Director,  
Department of Geology and Mining,  
Collectorate, Trichirapalli.

4.The Inspector of Police,  
Kattuputhur Police Station,  
Kattuputhur, Thottiyam Taluk,  
Trichy District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to release the petitioner's JCB bearing Registration No.TN 28 AK 6877.

For Petitioner : Mr.A.Thirumalairaja  
For Respondents : Mr.K.Mu.Muthu  
Government Advocate

**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 Jurisdictional Magistrate. The petitioner filed an application under Section 451 of Cr.P.C. It appears that the said application was dismissed. That necessitated filing of this Writ Petition.

3. This Court permits the writ petitioner to move the jurisdictional Magistrate once again. The concerned Jurisdictional Magistrate is directed to entertain the petitioner's application and dispose of the same on merits and in accordance with law.



WEB COPY

4. With the above liberty, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Revenue Divisional Officer,  
Musiri Sub Division, Musiri Post and Taluk,  
Trichy District.
- 2.The Tahsildar,  
Taluk Office,  
Thottiyam Post and Taluk, Trichy District.
- 3.The Assistant Director,  
Department of Geology and Mining,  
Collectorate, Trichirapalli.
- 4.The Inspector of Police,  
Kattuputhur Police Station,  
Kattuputhur, Thottiyam Taluk,  
Trichy District.

+1cc to Mr.A.Thirumalairaja, Advocate, SR.No.61424

W.P.(MD)No.9261 of 2019  
16.04.2019

SP/16.04.2019/2P/6C

—