



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 16.04.2019

CORAM:

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

W.P. (MD) Nos.9359, 9360 & 9361 of 2019

WEB COPY

M.Thangapandi ... Petitioner in W.P.(MD).No.9359 of 2019
S.Mariappan ... Petitioner in W.P.(MD).No.9360 of 2019
C.Murugesh ... Petitioner in W.P.(MD).No.9361 of 2019

Vs

- 1.The Assistant Director,
of Geology and Mining, Tirunelveli District.,
Tirunelveli.
- 2.The Revenue Divisional Officer,
Tirunelveli, Tirunelveli District. Respondents in all the Writ
Petitions
- 3.The Inspector of Police,
Taluk Police Station,
Tirunelveli District. ... Respondent in W.P.(MD).No.9359 of 2019
- 3.The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District. ... Respondent in W.P(MD).No.9360 of 2019
- 3.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City. ... Respondent in W.P.(MD).No.9361 of 2019

PRAYER in W.P. (MD) .No.9359 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to release the petitioner's Lorry bearing Registration No.TN-72-BH-6219 seized on 30.03.2019 by the third respondent, to the petitioner.

PRAYER in W.P. (MD) .No.9360 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to release the petitioner's TATA 407 Van bearing Registration No.TN-58-B-9496 seized by the third respondent on 13.02.2018 to the petitioner.

PRAYER in W.P. (MD) .No.9361 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to release the petitioner's Lorry bearing Registration No.TN-72-BH-6498 seized by the third respondent on 28.03.2019 to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>
For Petitioners : Mr.T.Lenin Kumar
For Respondents : Mr.K.Mu.Muthu
Government Advocate



(In all Writ Petitions)

COMMON ORDER

Heard the learned counsel on either side. By consent of both parties these Writ Petitions are taken up for final disposal at the admission stage itself.

2. The petitioners' vehicles were seized in connection with the illegal transportation of sand. The vehicles were also produced before the Jurisdictional Magistrate Court. The petitioners' grievance are that even though they have filed applications for release of the vehicles, the learned Jurisdictional Magistrate is not entertaining the same.

3. It is made clear that the Hon'ble Division Bench of this Court initially directed that the applications for interim release of the vehicle will not be entertained and that only the Special Court can grant relief. Subsequently, the said order was modified. Therefore, the learned Jurisdictional Magistrate is directed to entertain the petitioners' applications under Section 451 of Cr.P.C. and dispose of the same on merits and in accordance with law.

4. With the above liberty to the petitioners, these Writ Petitions stand closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Assistant Director,
of Geology and Mining, Tirunelveli District.,
Tirunelveli.
- 2.The Revenue Divisional Officer,
Tirunelveli, Tirunelveli District.
- 3.The Inspector of Police,
Taluk Police Station, Tirunelveli District.
- 4.The Inspector of Police,
Seevalaperi Police Station, Tirunelveli District.
- 5.The Inspector of Police,
Palayamkottai Police Station, Tirunelveli City.

+3cc to Mr.T.Lenin Kumar,Advocate, SR.No.61380,61381 AND 61382

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SP/16.04.2019/ 2P/9C