



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2019

CORAM

WEB COPY

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

W.P(MD)No.15208 of 2019

M.Vincent

... Petitioner

Vs.

Regional Transport Officer,  
Marthandam,  
Mulagumoodu Post  
Kanyakumari District.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus, to direct the respondents herein to forthwith release the MAXI CAB, bearing Reg.No. TN 19 E 3794, seized on 06.06.2019.

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.A.Thiyagarajan

Government Advocate

**ORDER**

The following order is passed upon hearing the detailed submissions of the learned counsel for the petitioner and the learned Government Advocate for the respondent and by consent of both parties.

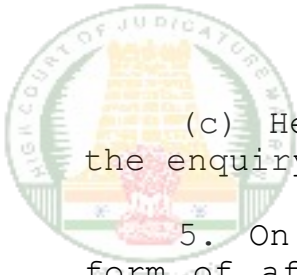
2. A mandamus is sought seeking a direction to the respondent to release the petitioners' Maxi Cab bearing Registration No. TN 19 E 3794.

3. The learned Government Advocate states that proceedings are ongoing in regard to the violations that the petitioner is alleged to have committed in connection with plying of the vehicle, whereas the learned counsel for the petitioner denies that any violation have been committed at all. In any event, he undertakes that he would abide by any condition imposed by the Court on return of the vehicle. No serious objection is expressed by the learned Government Advocate for grant of order of release, conditionally.

4. Accordingly, the respondent is directed to return the Maxi Cab bearing Registration No. TN 19 E 3794. to the petitioner subject to the petitioner executing an affidavit of undertaking that is specifically the following:-

(a) He shall strictly abide by all the permit conditions in future;

(b) He shall co-operate fully in the proceedings initiated / to be initiated by the respondent authority for violating the permit conditions;



(c) He shall not alienate the vehicle during the pendency of the enquiry.

5. On complying with the aforesaid undertakings given in the form of affidavit, the respondent shall return the vehicle, namely Maxi Cab bearing Registration No. TN 19 E 3794 to the petitioner, within a period of one week thereafter.

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

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

To  
Regional Transport Officer,  
Marthandam,  
Mulagumoodu Post  
Kanyakumari District.

+1cc to Mr.S.SIVAKUMAR, Advocate, SR.No. 76568  
+1cc to M/s.Special Government Pleader,SR.No.76921

W.P(MD)No.15208 of 2019  
22.07.2019

CM  
KK/SAR/23.07.2019/2P-4C

—