



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P (MD) No.20510 of 2019

Anandhu

... Petitioner

Vs.

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
C.S.C.I.D,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, to direct the first respondent herein to release the TATA Minivan bearing Regn.No.KL-25-K4014 seized by the second respondent on 24.08.2019.

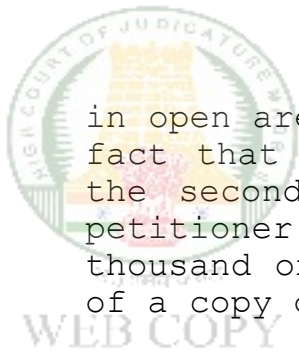
For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.P.Kannithevan,
Additional Government Pleader.

ORDER

The petitioner has come forward with the present Writ Petition seeking for issuance of a Writ of Mandamus, directing the first respondent herein to release the TATA Minivan bearing Regn.No.KL-25-K4014 seized by the second respondent on 24.08.2019.

2. Mr.P.Kannithevan, learned Additional Government Pleader, who takes notice on behalf of the respondents, would vehemently oppose the release of Mini Van on the ground that the petitioner is the owner of the vehicle and he used his vehicle to transport 12 bags of PDS rice (each contains 50 kgs) without any valid permit. He would further submit that the petitioner is having one previous case.

3. The Mini Van belonging to the petitioner was seized by the second respondent on the ground that it was transporting 12 bags of PDS rice. The act of seizure cannot be faulted. But, then the question is whether it should be released or not. No purpose will be served in continuing to keep the said Mini Van in the custody of the respondent, since the vehicle would only lose its value by exposure



in open area. That apart, this Court can take judicial notice of the fact that the parts of such detained buses go missing. Therefore, the second respondent is directed to return the Mini Van to the petitioner on payment of a sum of Rs.25,000/- (Rupees twenty five thousand only) within a period of one week from the date of receipt of a copy of this order.

4. The petitioner has to file an undertaking affidavit before the second respondent offering to extend full co-operation with the enquiry that may be initiated by the respondent. The petitioner shall not alienate the vehicle till the conclusion of the enquiry. The petitioner shall also undertake not to violate the permit conditions in future. If the permit conditions are again violated, it would be open to the respondent to seize the vehicle in that event.

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

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
C.S.C.I.D,
Tirunelveli.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-89126[F] dated 25/09/2019)

+1 CC to M/s.GP (SR-89418[F] dated 25/09/2019)

W.P (MD) No.20510 of 2019
24.09.2019

vs

JM/30.09.2019/2P/5C