



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2019**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.25873 of 2019

Mariyadas @ Sunil

... Petitioner

Vs.

1.The District Revenue Officer,
Kanyakumari District.

2.The Inspector of Police,
Civil Supply CID - Madurai,
Kuzhithurai Police Station,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicle bearing Registration No.TN 47 T 1226 seized by the second respondent on 24.10.2019, now under the custody of the second respondent.

For Petitioner : Mr.R.Russel Raj

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

ORDER

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the respondents.

2. This Writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus directing the respondents to release the petitioner's vehicle bearing Registration No.TN 47 T 1226 seized by the second respondent on 24.10.2019.

3. It is stated that the petition mentioned vehicle was seized in connection with transportation of essential commodities on 24.10.2019.

4. This Court is of the view that there is no purpose in keeping the vehicle in question under the custody of the second respondent. However, without prejudice to the power of the respondents to confiscate the vehicle in question in accordance with



law, the respondents are directed to release the vehicle and hand over the same to the writ petitioner subject to the fulfilment of the following conditions:

(a) The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) before the first respondent.

(b) The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle.

(c) As and when the respondents call for the vehicle for enquiry, the petitioner has to produce the vehicle in question and he shall cooperate with the enquiry to be conducted by the respondents.

5. Upon completion of these formalities, the respondents shall release the vehicle forthwith without any delay. If the undertaking given by the petitioner is breached, the petitioner will not be entitled to interim release of the vehicle in future.

6. The writ petition is allowed accordingly. No Costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Revenue Officer,
Kanyakumari District.

2. The Inspector of Police,
Civil Supply CID - Madurai,
Kuzhithurai Police Station,
Kanyakumari District.

+1 CC to M/s.R.RAMESH RAJ, Advocate (SR-103261[F] 04/12/2019)

+1 CC to M/s.Special Government Pleader (SR-103591[F] 05/12/2019)

W.P (MD) No.25873 of 2019

04.12.2019

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