



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.1301 of 2020

Sowbhaya

.. Petitioner

..Vs..

1.The District Revenue Officer,
District Revenue Office,
Erode.

2.The Inspector of Police,
Civil Supplied CID, Erode,
Erode District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to release the petitioner's vehicle bearing Reg.No.KA 43 8327 EICHER seized by the second respondent on 17.11.2019 and to hand over the same to the petitioner's forthwith.

For Petitioner : Mr.S.Saranraj

For Respondents : Mr.Senthil Vel

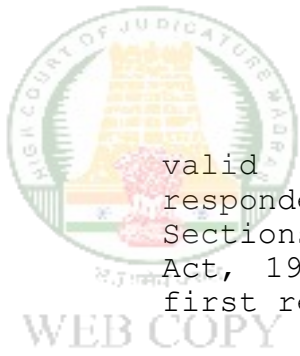
Additional Government Pleader

O R D E R

Mr.Senthil Vel, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the respondents herein to release the petitioner's vehicle bearing Reg.No.KA 43 8327 (EICHER) seized by the second respondent on 17.11.2019 and to hand over the same to the petitioner forthwith.

3.The case of the petitioner is that the petitioner's vehicle bearing No.KA-43-8327, was seized by the second respondent/The Inspector of Police, Civil Supplied CID, Erode, Erode District for transporting 500 Kgs of PDS rice without



valid permit from the Government. Therefore, the second respondent registered a case in Crime No.146/2019 under Sections 6(4) of TNSC (RDCS) order 1982 r/w. 7(1)a(ii) of E.C. Act, 1955. The above said vehicle is under the custody of the first respondent. Hence, the present writ petition.

4. The learned counsel appearing for the petitioner would submit that this Court may issue directions to the second respondent to release the petitioner's vehicle bearing Reg.No.KA 43 8327 (EICHER) seized by the second respondent on 17.11.2019.

5.Heard, Mr.Senthil Vel, learned Additional Government Pleader appearing for the respondents.

6. Without expressing any opinion on merits of the case and considering the limited request made by the learned counsel for the petitioner, this Court is inclined to issue a direction to the first respondent/ The District Revenue Officer, Erode to enquire the issue and thereafter pass an appropriate order on or before 28.02.2020 in accordance with law. The petitioner may either comply with the order passed by the first respondent or the petitioner may file an appeal before the Sessions Court, Erode, if he is aggrieved with the order passed by first respondent.

7.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(C.S.IX)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
District Revenue Office, Erode.

2.The Inspector of Police,
Civil Supplied CID, Erode, Erode District.

+1 cc to M/s.S.Saranraj, Advocate Sr.No. 5922

+1 cc to The Government Pleader Sr.No. 6677

AKM/29.01.2020/2P-5C /

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