

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. Nos.10816 & 10819 of 2020
and
W.P. Nos.10822 & 10824 of 2020

Palani .. Petitioner in WP.10816/2020

Rajalakshmi .. Petitioner in WP.10819/2020

S.R.Sampath Kumar ... Petitioner in WP.Nos.10822
& 10824 of 2020

Vs.

Special Intelligence Officer
Directorate of Revenue Intelligence
G.N. Chetty Road ,
T.Nagar Chennai. .. Respondent in all WPs

Prayer in WP.No.10816 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct non- imposition of any penalty against the owner of the Vehicle bearing Registration No. TNO5 AB 5757, to directing the release of Vehicle bearing registration No. TN 05 AB 5757.

Prayer in WP.No.10819 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct non- imposition of any penalty against the owner of the Vehicle bearing Registration No. TN20 AK 1530, to direct the provisional release of Vehicle bearing registration No. TN 20 AK 1530 under the section 110A.

Prayer in WP.No.10822 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct non- imposition of any penalty against the owner of the Vehicle bearing Registration No. TN09 AH 8645, to direct the provisional release of Vehicle bearing registration No. TN 09 AH 8645 under the section 110A.

Prayer in WP.No.10824 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct non- imposition of any penalty against the owner of the Vehicle bearing Registration No. TN18 B 3380, to direct the provisional release of Vehicle bearing registration No. TN 18 B 3380 under the section 110A.

For Petitioner : Mr.C.Ganesh Pandian

<https://hcservices.ecourts.gov.in/hcservices/>
(In all Petitions)

COMMON ORDER

The petitioner seeks a mandamus directing the release of a vehicle and also seeking a direction for not imposing penalty against the owner of the vehicle. It appears that representations have been filed before the Special Intelligence Officer, Directorate of Revenue Intelligence, as recently as on 13.07.2020 and 21.07.2020, seeking the identical reliefs. In fact, the seizure of the vehicle was on 03.06.2020, the allegations being that the vehicle bearing No.T.N.05 AB 5757 was being utilized for transporting smuggled goods.

2. In spite of the seizure on 03.06.2020, the representation was itself filed only on 13.07.2020 by the petitioner before the respondent. Thereafter, a second petition has been filed on 21.07.2020, seeking provisional release of the vehicle. While this is so, the petitioner has rushed to this Court on 28.07.2020, seeking the present mandamus.

3. I am of the categoric view that the prayer sought is premature and the petitioner ought not to have rushed to Court without pursuing the representation filed by it before the authority, particularly, when petitioner has itself taken more than one and a half months to approach the authority for seeking the same relief as now sought before this Court.

4. In view of the above, these writ petitions are dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To
Special Intelligence Officer
Directorate of Revenue Intelligence
G.N. Chetty Road T.Nagar Chennai.

W.P. Nos.10816 & 10819 of 2020
and
W.P. Nos.10822 & 10824 of 2020

A.SK(06/10/2020)