

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2020

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.10860 of 2020

R.Anbarasan

... Petitioner

Vs.

1. The Secretary,
Home Department,
Fort. St. George,
Chennai.
2. The District Collector,
Tiruvallur District.
3. The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Tiruvallur District.
4. The Inspector of Police,
Tirutani Police Station,
Tiruvallur District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct the 3rd and 4th respondents herein to release the vehicle S-cross smart Hybrid Zeta car bearing registration number TN04 AU 9018 in crime No.1328 of 2020 herein.

For Petitioner : Mr.N.Baskaran for
Mr.R.Ramesh

For Respondents : Mr.R.P.Prathap Singh,
Government Advocate.

O R D E R

The Petitioner has sought a Mandamus directing the third and fourth respondents to release his vehicle bearing registration number TN04 AU 9018 that had been seized in connection with Crime No.1328 of 2020.

2. In the course of the hearing, it was noted that the petitioner's representation in regard to the seizure was pending before the third respondent/Superintendent of Police, Prohibition Enforcement Wing and on 21.08.2020, there was a direction to the Superintendent of Police to pass orders on the representation within a period of two (2) weeks after hearing the petitioner. Though orders had been passed, the petitioner had not been heard and when this was pointed out by this Court, the order was withdrawn on 22.09.2020. I had reiterated the direction to R3 to hear the petitioner and pass orders in accordance with law on the representation of the petitioner. It now appears that R3 has disposed the representation adverse to the petitioner though in compliance with the principles of natural justice by order dated 05.10.2020. The order is stated to have been served upon the petitioner.

3. In the light of the aforesaid, the Mandamus, as sought for by the petitioner, cannot be granted. Hence, this writ petition is dismissed. Liberty is always available to the petitioner to challenge order dated 05.10.2020, in accordance with law. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rkp

To

1. The Secretary,
Home Department,
Fort. St. George,
Chennai.
2. The District Collector,
Tiruvallur District.

3. The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Tiruvallur District.
4. The Inspector of Police,
Tirutani Police Station,
Tiruvallur District.

+1cc to Government Pleader, in Sr.No.33514

W.P.No.10860 of 2020

SJ(CO)
CS/01/12/2020