



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.08.2020
CORAM

WEB COPY

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mrs. Justice R.HEMALATHA

W.P.No.11444 of 2020

1. T.Vimala ... Petitioner

.. Vs ..

1. The Sub-Collector,
Palladam,
Tirupur District.

2. The Revenue Divisional Officer,
Palladam,
Tirupur District.

3. The Village Administration Officer,
Palladam,
Tirupur District.

4. The Inspector of Police,
Palladam Police Station,
Tirupur 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 viz., Tipper lorry bearing Registration No.TN-42-P-5148 which is in custody of the respondents within a time frame by this Court.

For Petitioner : Mr.A.R.E.Vishnu Balaji

For Respondent : Mr.G.K.Muthukumar,
Special Government Pleader

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

By our earlier order made in W.P.SR.No.49596 of 2020, dated 20.08.2020, we have already taken a view that what is important is the ingredients of an offence punishable under the provisions of the Mines and Minerals, (Development and Regulation) Act, 1957 read with the Tamil Nadu Mines and Minerals Concession Rules, 1959. Therefore, the only remedy available for the petitioner is to approach the designated



Court. In such view of the matter, the Writ Petition stands disposed of with liberty to the petitioner to approach the designated Court. We only observe that the designated Court among other factors shall also consider the fact that the petitioner's vehicle has been in custody for quite some time resulting in diminishing value. The petitioner shall return the paper files, as and when the same is returned, the designated Court shall number it and decide it at the earliest, preferably within a period of one week. No costs.

-s/d-

Assistant Registrar(CS-)

True Copy

Sub-Assistant Registrar

To

1. The Sub-Collector,
Palladam,
Tirupur District.
2. The Revenue Divisional Officer,
Palladam,
Tirupur District.
3. The Village Administration Officer,
Palladam,
Tirupur District.
4. The Inspector of Police,
Palladam Police Station,
Tirupur District.

Copy to:
The Judicial Magistrate,
Palladam.

+1 cc to Mr.ARE.Vishnu Balaji, Advocate,sr.27314.

VgII(co)
krd 25/8

W.P.No.11444 of 2020