



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Thirteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

WMP (MD) No.1676 of 2020

IN

WP (MD) No.20439 of 2019

GNANASEKARAN

... PETITIONER/ PETITIONER

Vs

1 THE REVENUE DIVISIONAL OFFICER
REVENUE DIVISIONAL OFFICE,
KUMBAKONAM, THANJAVUR DISTRICT.

2 THE TAHSILDAR,
PAPANASAM, THANJAVUR DISTRICT.

3 THE INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION, THANJAVUR DISTRICT.

4 THE ASSISTANT DIRECTOR,
TAMILNADU MINES AND MINERALS,
THANJAVUR DISTRICT.

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extend the time for compliance of the orders passed by this Honourable Court on 23.9.2019 in WP(MD).No.20439/2019 and pass such other order as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 20439/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court directing the respondents to release the petitioner Tata Lorry vehicle bearing Registration No. TN -69 - Z - 8299 and hand over to the petitioner based on the petitioner representation dated on 09/08/2019.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.C.GANGAI AMARAN, Advocate for M/S.K.M.KARUNAKARAN, Advocate for the petitioner and of M/s.J.PADMAVATHI DEVI, Special Government Pleader on behalf of the Respondents, the court made the following order:-



The main writ petition in W.P(MD) No.20439 of 2019 had been disposed of by an order dated 23.009.2019. The paragraph Nos.6 and 7 of the said order is extracted below:-

6. Accordingly, the respondents are directed to release the vehicle in question to the petitioner within a period of seven days from the date of receipt of a copy of this order subject to the following conditions:

"(i) The petitioner shall produce documents before the third respondent under whose custody the vehicle is kept, to establish the ownership of the vehicle in question;

(ii) The petitioner shall deposit a sum of Rs.2,00,000/- (Rupees two lakhs only) for the vehicle before the first respondent herein;

(iii) The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the respondents;

(iv) On doing so, the vehicle in question shall be returned to the petitioner;

(v) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned;

(vi) The third respondent is directed to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order; and

(vii) The petitioner is also directed to participate in the enquiry to be conducted by the third respondent."

7. The writ petition is ordered accordingly. No costs.

2. The learned counsel for the petitioner states that the petitioner was not able to deposit the said sum of Rs.2,00,000/- (Rupees Two lakhs) and consequently, the order granted could not be given effect to. Therefore, the learned counsel for the petitioner filed the present miscellaneous petition seeking time to deposit the said sum of Rs.2,00,000/-.

3. The petitioner namely, Gnanasekaran is directed to deposit the said sum of Rs.2,00,000/- as directed in the order dated



23.09.2019, on or before 27.03.2020 and on such deposit, the respondents are directed to proceed further in accordance with the direction given in the order dated 23.09.2019. Accordingly, this Miscellaneous Petition is disposed of.

sd/-
13/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE REVENUE DIVISIONAL OFFICER
REVENUE DIVISIONAL OFFICE,
KUMBAKONAM, THANJAVUR DISTRICT.
- 2 THE TAHSILDAR,
PAPANASAM, THANJAVUR DISTRICT.
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- 4 THE ASSISTANT DIRECTOR,
TAMILNADU MINES AND MINERALS,
THANJAVUR DISTRICT.

+1. C.C. to M/S.K.M.KARUNAKARAN Advocate SR.No.11634

ORDER
IN
WMP (MD) No.1676 of 2020
IN
WP (MD) No.20439 of 2019
Date :13/03/2020

MS/VR/SAR-1/16.03.2020/3P.6C