



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2020

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P(MD).No.4824 of 2020
and W.M.P.(MD).No.4197 of 2020

WEB COPY

T.Pathmanaban

.. Petitioner

Vs.

1. The Inspector of Police,
Sivagangai Town Station,
Sivagangai, Sivagangai District.

2. The Assistant Executive Engineer,
PWD - Mullaiyur Depot,
Viralimalai,
Pudukottai District.

3. P.Gnaneswaran

.. Respondents 1 to 3

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to Crime No.445/2019 for the offence under Section 21(1) of the Mines and Minerals Act on the file of the Respondent No.1 and to quash the same and consequently direct the refund of Rs.50,000/- deposited on 03.02.2020 in pursuance of order in CrI.R.C.(MD).No.877/19 for the release of the Vehicle and Original Registration Certificate for Lorry bearing No.TN 28 P 3845.

For Petitioner : Mr.S.Jayavel

For Respondents : A.Robinson,
Government Advocate (CrI. Side)

ORDER

The petitioner's vehicle was seized in connection with Crime No.445 of 2019 registered on the file of Sivagangai Police Station for the offence under Section 21(1) of Mines and Minerals Act.

2.The petitioner has obtained release of his vehicle. But then the original RC Book pertaining to the petition mentioned lorry is in Court custody. The petitioner requires the same for the purpose of obtaining renewal of the Fitness Certificate under the Motor Vehicles Act. If the Fitness Certificate is not renewed by the Motor Vehicle Inspector, the petitioner cannot even ply the lorry.



3. Therefore, the learned Principal Sessions Judge, Sivagangai, is directed to return the original Registered Certificate in respect of the lorry bearing No.TN 28 P 3848 to the petitioner for the purpose mentioned above. The petitioner undertakes to redeposit the said RC Book in the Court one month thereafter.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To

1. The Principal Sessions Judge, Sivagangai.
2. The Inspector of Police, Sivagangai Town Station, Sivagangai, Sivagangai District.
3. The Assistant Executive Engineer, PWD - Mullaiyur Depot, Viralimalai, Pudukottai District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
5. +1 CC to M/s.S.JAYAVEL, Advocate
(SR-11628[F] dated 13/03/2020)

W.P (MD) .No.4824 of 2020
11.03.2020

TP (08.05.2020) 2P 6C