



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2020

CORAM:

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.6708 of 2020

(Through Video Conferencing)

R.Rethinavel

... Petitioner

Vs.

1.The Assistant Director,
Geology and Mines Department,
Thanjavur District.

2.The Sub-Collector cum Revenue Divisional Officer,
Thanjavur, Thanjavur District.

3.The Tahsildar,
Boodhaloor Taluk, Thanjavur District.

4.The Inspector of Police,
Thogur Police Station,
Thanjavur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to release the petitioner's vehicle of Tractor and its Trailer, bearing registration no. TN 49 BD 8581 from the custody of the 4th respondent police and to hand over the above vehicle to the Petitioner, by considering the Petitioner's representation dated 12.05.2020 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr. Mari Chellaiah Prabhu
Additional Government Pleader



O R D E R

1. When the case is taken up for hearing, it was noticed that an FIR has been already registered against the petitioner. Therefore, this Writ Petition is without jurisdiction as the petitioner has to approach only the Special Court constituted for the purpose.

2. Therefore, this Writ Petition is dismissed with liberty to the petitioner to approach the jurisdictional Special Court. In case the petitioner approaches the Special Court, the Special Court may consider and dispose the petitioner's application, within a period of fifteen days from the date of filing of such application by the petitioner as the petitioner's vehicle has been under seizure since 19.03.2020.

3. Accordingly, this Writ Petition stands dismissed. No cost.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

- 1.The Assistant Director,
Geology and Mines Department,
Thanjavur District.
- 2.The Sub-Collector cum Revenue Divisional Officer,
Thanjavur, Thanjavur District.
- 3.The Tahsildar,
Boodhaloor Taluk, Thanjavur District.
- 4.The Inspector of Police,
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SPU (07.07.2020) 2P-5C