



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2020

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9580 of 2020

R.Kanagaraj

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Tiruchendur Revenue Division,
Tiruchendur,
Thoothukudi District.
2. The Assistant Director of Mines,
Thoothukudi District,
Thoothukudi.
3. The Inspector of Police,
Nazareth Police Station,
Nazareth,
Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicle namely TATA-909 Van (TATA LPK 912) bearing registration No.TN 92 B 6500.

For Petitioner	: Mr.N.Pragalathan
For Respondents	: Mrs.S.Srimathy Special Government Pleader

O R D E R

Heard the learned counsel on either side. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks release of the petition mentioned vehicle. It was seized in connection with illegal transportation of sand.

3. The learned Special Government Pleader points out that the the petitioner is having six previous cases of the same nature. Therefore, I am not inclined to exercise my discretion in writ



jurisdiction. At the same time, the respondents cannot keep the vehicle in the station indefinitely. Therefore, the second respondent is directed to produce the vehicle before the Jurisdictional Court immediately and without any delay. The petitioner is at liberty to file a petition before the Jurisdictional Court for release of the vehicle. The Jurisdictional Court is directed to dispose of the said petition to be filed by the petitioner within a period of ten days from the date of receipt of the petition.

4. With this direction to the Jurisdictional Court, this Writ Petition stands dismissed. I make it clear that I have not gone into the merits of the matter. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Revenue Divisional Officer,
Tiruchendur Revenue Division,
Tiruchendur, Thoothukudi District.
2. The Assistant Director of Mines,
Thoothukudi District, Thoothukudi.
3. The Inspector of Police,
Nazareth Police Station,
Nazareth, Thoothukudi District.

+1 CC to the Spl GP (SR-14502[F] dated 20/08/2020)

W.P. (MD)No.9580 of 2020
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CS(16.09.2020) 2P 5C