



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9673 of 2020

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M.Giri

... Petitioner

Vs.

1.The Assistant Director,
Mines and Minerals Department,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam,
Sivagangai District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to release the petitioner's Lorry vehicle bearing Registration No.TN-63-B-5266, Engine No.697 D 21 FQQ 117741 and Chassis No.373043 FQQ 113247, seized by the Village Administrative Officer and kept by the 3rd respondent, based on the representation given by the petitioner dated 10.08.2020 within a time stipulated by this Court.

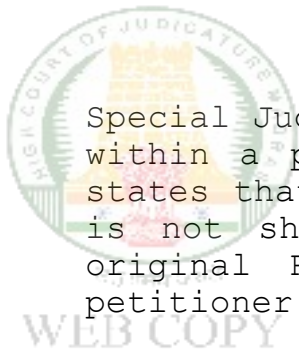
For Petitioner : Mr.SP.Vijaynivas
For Respondents : Mr.M.Rajarajan,
Additional Government Pleader.

O R D E R

Heard the learned counsel on either side.

2.The petitioner seeks release of the petition mentioned vehicle.

3.The learned Additional Government Pleader informs the Court that the vehicle has been produced before the jurisdictional court. Hence, I relegate the petitioner to move the jurisdictional criminal court. The petitioner's counsel states that he had already moved a petition before the learned Judicial Magistrate. But then, it suffered dismissal. Therefore, I direct the learned Judicial Magistrate to forthwith transmit the relevant papers to the concerned Special Court immediately and without any further delay. The petitioner is permitted to move the Special Court. The learned



Special Judge will dispose of the petition for return of the vehicle within a period of 10 days thereafter. The petitioner's counsel states that the petitioner is only an agreement holder and his name is not shown in the R.C.Book but the petitioner is having the original R.C.Book. The court below will not insist that the petitioner's name should be in the R.C.Book.

4.The writ petition is disposed on on these terms. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 District Munsif cum Judicial Magistrate,
Thiruppuvanam.
- 2.The Principal District and Sessions Court/
Special Court for Mines and Minerals, Sivagangai.
- 3.The Assistant Director,
Mines and Minerals Department,
Sivagangai District, Sivagangai.
- 4.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam,
Sivagangai District.
- 5.The Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.

+1 CC to M/s.GP (SR-14752[F] dated 24/08/2020)

+1 CC to M/s.S.P. VIJAY NIVAS, Advocate (SR-14593[F] dated 21/08/2020)

W.P. (MD)No.9673 of 2020

20.08.2020

(1/2)

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