



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11951 of 2020

Mariappan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Cheranmahadevi
Tirunelveli District.

2.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

3.The Assistant Director,
Tamilnadu Mines and Minerals,
Tirunelveli District.

... Respondents

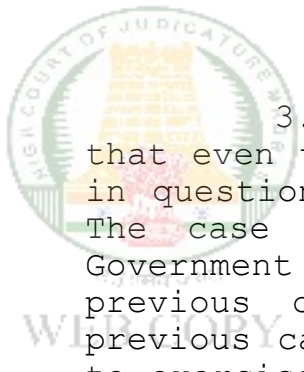
Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the petitioner's Vehicle JCB bearing Registration No.TN 67 AU 5932, pertaining to the case in Cr.No.344 of 2020, on the file of the second respondent herein and return the vehicle to the petitioner based on his representation dated 11.09.2020.

For Petitioner : M/s.S.Sathya Chidambaram
For Respondents : Mr.P.Mahendran
Additional Government Pleader

O R D E R

Heard the learned counsel on either side. By consent of both parties, this 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 allegedly involved in illegal transportation of sand. In this regard, a criminal case has already been registered in Crime No.344 of 2020 on the file of the second respondent.



3.However, the learned Additional Government Pleader states that even though the criminal case has been registered, the vehicle in question is yet to be produced before the jurisdictional Court. The case is still under investigation. The learned Additional Government Pleader points out that the petitioner is having five previous cases, while the vehicle has been involved in three previous cases of the similar nature. Therefore, I am not inclined to exercise my discretion for release of the said vehicle. The Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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,
Revenue Divisional Office,
Cheranmahadevi
Tirunelveli District.
2. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
3. The Assistant Director,
Tamilnadu Mines and Minerals,
Tirunelveli District.

+1 CC to the SPL GP (SR-17435[F] dated 18/09/2020)

W.P. (MD)No.11951 of 2020

17.09.2020

SS (CO)

CS (01.10.2020) 2P 5C