



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Friday, the Fourth day of December Two Thousand Twenty
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
WP(MD). No.12077 of 2020

WEB COPY

Kondappan ... Petitioner
Vs

1. The Assistant Director
Geology and Mining Dindigul District
2. The Revenue Divisional Officer,
Dindigul, Dindigul District
3. The Inspector of Police,
Sempatti Police Station
Dindigul District

... Respondents

Prayer :-This Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the respondents to release the Mahindra Tractor bearing registration No.TN 41 AL 0499 along with trailer seized in connection with Crime No.1272 of 2020 on the file of the 3rd respondent based on the petitioners representation dt 09.09.2020.

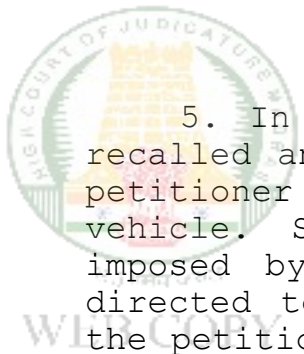
ORDER:- This Writ Petition coming on for hearing on this day under the caption "for being mentioned" and upon perusing the petition and the affidavit filed in support thereof and the order ,dated 18/09/2020, and upon hearing the arguments of **Mr.T.Palanisamy**, Advocate for the Petitioner and of **Mr.M.Rajarajan**, Government Advocate for the respondents, this Court made the following order:

This matter came up for hearing today under the caption "For Being Mentioned".

2. By order dated 18.09.2020, I had allowed W.P.(MD) No.12077 of 2020.

3. The matter pertains to the release of the petition mentioned vehicle. It was mentioned on the side of the respondents that the vehicle was not produced before the Court below. That is why, I had allowed the writ petition by putting the petitioner on terms. The petitioner had complied with the condition imposed by this Court. Now it is mentioned by the petitioner's counsel that the order passed by this Court has not been complied with.

4. It appears that the vehicle was produced before the Court below even before the writ petition was filed.



5. In this view of the matter, the order dated 18.09.2020 is recalled and the writ petition stands disposed of by directing the petitioner to move the jurisdictional Court for relief of return of vehicle. Since the petitioner had complied with the condition imposed by this Court, the learned jurisdictional Magistrate is directed to allow the petition as such forthwith, without putting the petitioner on terms. Such a direction is issued, taking note of the fact that the petitioner had already complied with the condition imposed by this Court. Of course the petitioner shall not alienate or encumber the vehicle in question till the proceedings are concluded and as and when the respondents call for the vehicle for enquiry, the petitioner has to produce the vehicle in question and he shall cooperate with the enquiry to be conducted by the respondents.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Judicial Magistrate ,Athoor,Dindigul District.
2. The Assistant Director,
Geology and Mining, Dindigul District, Dindigul
3. The Revenue Divisional Officer, Dindigul, Dindigul District.
4. The Inspector of Police,
Sempatti Police Station , Dindigul District .

Copy to

1. The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai
2. The Officer-in-charge,High Court Legal Services Committee
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 04/12/2020

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ORDER
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WP(MD). No.12077 of 2020

Giving direction and etc.
as stated within.

SRK(CO)

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