



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12781 of 2020

K.Duraipandian

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Sub Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to release the petitioner's trailer with no registration number.

For Petitioner : Mr.M.Stephen Daniel

For Respondents: Mr.S.Angappan
Government Advocate

O R D E R

Heard the learned counsel on either side.

2.The learned Government Advocate informs the Court that the vehicle (Tractor with Trailer) was already produced before the Court below.

3.It appears that the petitioner also moved the Court below. He got return of the tractor alone. However, the Court below declined to return the Trailer because, the Trailer was locally manufactured. Since the vehicle in question had already been produced before the Court below, the Writ Court will not be justified in exercising any jurisdiction. If the Court below has declined to entertain the petitioner's application, the remedy open to the petitioner is to move the High Court either under 397 of Cr.P.C., or Section 482 of Cr.P.C. The Writ Court cannot make any observation in this regard.



4.The Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

WEB COPY

// 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 District Collector,
Tirunelveli District,
Tirunelveli.

2.The Sub Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.

+1 CC to SGP (SR-18352[F] dated 29/09/2020)

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NR (12.10.2020) 2P 4C