



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P.(MD)No.13105 of 2020

G.Backiyaraj

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

2.The Assistant Director,
Mines and Minerals Department, Thanjavur.

3.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
(Crime No.115 of 2020)

... 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 ie., TATA 407 Load Van bearing Registration No.TN 74 P 1049 seized by the third respondent, dated 13.03.2020 on the basis of the petitioner's representation dated 20.03.2020.

For Petitioner : Mr.U.Umamaheswaran

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. It was seized in connection with illegal transportation of sand.

3. The learned Additional Government Pleader points out that the petitioner is having three 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 respondents are 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.

WEB COPY

Sd/-

Assistant Registrar (CO)

// 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,
Kumbakonam,
Thanjavur District.
- 2.The Assistant Director,
Mines and Minerals Department, Thanjavur.
- 3.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.

Copy to

The judicial Magistrate,
Papanasam,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-18776[F] dated 01/10/2020)

W.P. (MD)No.13105 of 2020
30.09.2020

DKS (CO)
KB(14.10.2020) 2P 6C