



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13288 of 2020

S.Ramesh

... Petitioner

Vs.

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

2.The Assistant Director,
Department of Geology and Mines,
Thanjavur,
Thanjavur District.

3.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to pass appropriate orders to release the Tata Ace of the petitioner bearing Registration No.TN 49 AQ 2970 which was seized by the third respondent.

For Petitioner : Mr.S.Venkatesan

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 petitioner asserts that the petitioner Ramesh is the owner of the vehicle.

4.The learned Additional Government Pleader, on the other hand, states that one Kutty appears to be the owner of the vehicle and that, there are as many as 12 mining cases against the said Kutty.



5. Since such disputed facts are involved, 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. The writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

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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 Revenue Divisional Officer,
Kumbakonam Revenue Divisional,
Thanjavur District.
2. The Assistant Director,
Department of Geology and Mines,
Thanjavur,
Thanjavur District.
3. The Inspector of Police,
Ammamet Police Station,
Thanjavur District.

+1 CC to M/s.GP (SR-19077[F] dated 05/10/2020)

W.P. (MD)No.13288 of 2020

01.10.2020

SCR(CO)

TR(09.10.2020) 2P 5C