



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.15601 of 2020

Murugesh

... Petitioner

Vs.

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

2. The Inspector of Police,
Tirunelveli Taluk Police station,
Tirunelveli District.
(Crime No.376 of 2020)

3.The Assistant Director Geology and Mining,
Tirunelveli,
Tirunelveli District.

... 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 namely Tipper Lorry bearing registration No.TN 72 BH 6498 from his custody and to hand over the above vehicle to the petitioner forthwith, by considering the petitioner's representation dated 27.10.2020.

For Petitioner : Mr.M.S.Jeyakarthik
For Respondents : Mr.A.Muthu Karuppan,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to release the petitioner's Tipper Lorry bearing registration TN 72 BH 6498.

2. Mr.Muthu karuppan, learned Additional Government Pleader accepts notice on behalf of the respondents. He submits that the seized vehicle has already been produced before the Jurisdictional Criminal Court and therefore, the writ petition is not maintainable. If at all the petitioner is aggrieved, he has to approach the Jurisdictional Criminal Court under Section 451 of Cr.P.C.

3. This Court is in agreement to the said submission. Accordingly this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the Jurisdictional Criminal Court under Section 451 of Cr.P.C., seeking for release of the



vehicle. On receipt of the application filed by the petitioner under Section 451 of Cr.P.C. for release of the seized vehicle, the Jurisdictional Criminal Court shall dispose of the said application within a period of four weeks from the date of numbering of the said application. There shall be no order as to costs.

WEB COPY

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

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,
Tirunelveli,
Tirunelveli District.

2. The Inspector of Police,
Tirunelveli Taluk Police station,
Tirunelveli District.

3.The Assistant Director Geology and Mining,
Tirunelveli, Tirunelveli District.

+1 CC to M/s.S.JEYA KARTHIK, Advocate (SR-21548[F] dated 09/11/2020)

+1 CC to M/s.GP (SR-21597[F] dated 09/11/2020)

W.P. (MD)No.15601 of 2020
06.11.2020

ARK(CO)

AP(23/11/2020) 2P 6C