



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM

WEB COPY

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P. (MD)No.15807 of 2020

Pandiarajan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

2.The Inspector of Police,
Kariyapatti Police Station,
Kariyapatti, Virudhunagar District.

3.The Assistant Director,
Department of Geology and Mines,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to release the petitioner's vehicle by branding name Tipper Lorry bearing registration No.TN 58 H-5127 seized by the second respondent on 24.03.2020.

For Petitioner : Mr.A.Balaji

For Respondent : Mr.C.Ramar,
Additional Government Pleader.

ORDER

(This petition was heard through video conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to direct the respondents to release the petitioner's vehicle viz., Lorry bearing registration No.TN 58 H 5127.

2.Mr.C.Ramar, learned Special Government Pleader accepts notice on behalf of the respondents. On instructions, he would submit that the seized vehicle has already been produced before the jurisdictional criminal Court.



3. In view of the same, the present writ petition is not maintainable. The petitioner will have to necessarily approach the jurisdictional criminal Court by filing an application under Section 451 of Cr.P.C., for release of the vehicle. Hence, the petitioner is at liberty to approach the jurisdictional criminal Court to seek release of the seized vehicle by filing appropriate application under Section 451 of Cr.P.C.

4. On receipt of such application, the jurisdictional criminal Court shall pass final orders in the said application, within a period of four weeks, thereafter. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

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Sub Assistant Registrar(CS)

Gns

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,
Office of the Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.
2. The Inspector of Police,
Kariyapatti Police Station,
Kariyapatti, Virudhunagar District.
3. The Assistant Director,
Department of Geology and Mines,
Virudhunagar District.

+1 CC to SGP (SR-21939[F] dated 11/11/2020)

W.P. (MD) No.15807 of 2020
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SSS(CO)

NR (18/11/2020) 2P : 5C

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