



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.16084 of 2020

Chandrasekar

.. Petitioner

Vs.

1.The Assistant Director,
Tamil Nadu Mines and Minerals Department,
Thoothukudi District, Thoothukudi.

2.The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.

3.The Tahsildar,
Eral Taluk, Eral, Thoothukudi District.

4.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to release the petitioner's Mahindra and Mahindra Loading Super LWS Pick Up Mini Truck Registration No.TN 20 BM 8311 seized by the fourth respondent Police in connection with Crime No.60 of 2019, dated 15.06.2019, on the basis of the petitioner's representation dated 04.11.2020.

For Petitioner : Mr.S.Deenadhayalan

For Respondents : Mr.C.Ramesh
Special Government Pleader

ORDER

(This Matter was heard through the Video Conferencing)

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to release the petitioner's Mahindra and Mahindra Loading Super LWS Pick Up Mini Truck Registration No.TN 20 BM 8311 seized by the fourth respondent Police in connection with Crime No.60 of 2019, dated 15.06.2019, on the basis of the petitioner's representation dated 04.11.2020.



2. Mr.C.Ramesh, learned Special Government Pleader accepts notice on behalf of the respondents.

3. Heard Mr.S.Deenadhayalan, learned counsel for the petitioner and Mr.C.Ramesh, learned Special Government Pleader for the respondents.

4. Today, when the matter is taken up for hearing, the learned Special Government Pleader for the respondents, on instructions, would submit that the seized vehicle has already been produced before the Jurisdictional Criminal Court.

5. 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 releasing of his seized vehicle. Hence, the petitioner is at liberty to approach the Jurisdictional Criminal Court for seeking release of the seized vehicle by filing appropriate application under Section 451 of Cr.P.C.

6. On receipt of such application, the Jurisdictional Criminal Court shall dispose of the said application, within a period of four weeks, thereafter. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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 Assistant Director,
Tamil Nadu Mines and Minerals Department,
Thoothukudi District, Thoothukudi.

2.The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.

3.The Tahsildar,
Eral Taluk, Eral, Thoothukudi District.

4.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

+1 CC to SGP (SR-22211[F] dated 19/11/2020)

W.P (MD) .No.16084 of 2020
18.11.2020

SVN(CO)
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