



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.11.2020

CORAM:

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P. (MD)No.15980 of 2020**

WEB COPY

Senthilkumar @ Senthil Kumaran

... Petitioner

Vs

1) The Revenue Divisional Officer,  
Tiruchendur, Thoothukudi District.

2.The Inspector of Police,  
Murappanadu Police Station,  
Thoothukudi District.  
(Crime No.101/2019)

3.The Assistant Director of Geology and Mining,  
Thoothukudi,  
Thoothukudi District.

... Respondents

**PRAYER:** Petition 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 namely, Mahindra Pick Up bearing Registration No.TN-55-K-7875 from his custody and to hand over the above vehicle to the petitioner forthwith, by considering the petitioner's representation dated 15.10.2020.

For Petitioner : Mr.M.S.Jeyakumar

For Respondents : Mr.C.Ramesh,  
Special Government Pleader

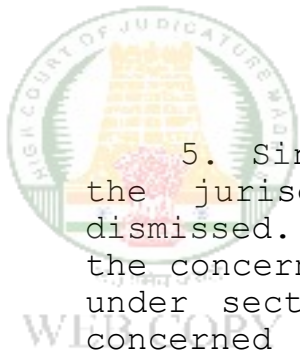
**O R D E R**

This writ petition has been filed for a Mandamus to direct the respondents herein to release the petitioner's Mahindra Pick Up bearing Registration No.TN-55-K-7875 seized by the second respondent by considering the representation of the petitioner dated 15.10.2020.

2. Heard Mr.M.S.Jeyakumar, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.

3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

4. Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents would submit that the seized vehicle has already been produced before the concerned jurisdictional Criminal Court and therefore, the writ petition is not maintainable.



5. Since the seized vehicle has already been produced before the jurisdictional Criminal Court, this writ petition stands dismissed. However, liberty is granted to the petitioner to approach the concerned jurisdictional Criminal Court by filing an application under section 451 of I.P.C. On receipt of such application, the concerned jurisdictional Criminal Court shall dispose of the said application on merits and in accordance with law within a period of four weeks thereafter. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// 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,  
Tiruchendur,  
Thoothukudi District.

2.The Inspector of Police,  
Murappanadu Police Station,  
Thoothukudi District.  
(Crime No.101/2019)

3.The Assistant Director of Geology and Mining,  
Thoothukudi,  
Thoothukudi District.

+1 CC to M/s.M.S. JEYAKARTHIK, Advocate ( SR-22011[F] dated 18/11/2020 )

+1 CC to SGP ( SR-22058[F] dated 18/11/2020 )

Order made in

**W.P. (MD) No.15980 of 2020**

**SR** (CO)

NR (24/11/2020) 2P : 6C