



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.16978 of 2020

(Through Video Conference)

G.Thiruppathi

.. Petitioner

Vs.

1. The Assistant Director,
Tamil nadu Mines and Minerals Department,
Pudukkottai District,
Pudukkottai.

2) The Inspector of Police,
Arimalam Police Station,
Arimalam,
Pudukkottai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to release the vehicle Ashok Leyland Tipper Lorry bearing Registration No.TN 33 L 7227, chassis No.JKE431514, based on petitioner's representation dated 07.11.2020 within the time stipulated by this Court.

For Petitioner : Mr.K.Srinivasaragavan

For Respondents: Mr.A.Karthik,
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to release the vehicle Ashok Leyland Tipper Lorry bearing Registration No.TN 33 L 7227, chassis No.JKE431514, based on petitioner's representation dated 07.11.2020 within the time stipulated by this Court.

2. Mr.A.Karthik, learned Government Advocate accepts notice on behalf of the respondents.



3. Heard Mr.K.Srinivasaragavan, learned counsel for the petitioner and Mr.A.Karthik, learned Government Advocate for the respondents.

4. Today, when the matter is taken up for hearing, the learned Government Advocate 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-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 Assistant Director,
Tamil nadu Mines and Minerals Department,
Pudukkottai District,
Pudukkottai.



2) The Inspector of Police,
Arimalam Police Station,
Arimalam,
Pudukkottai District.

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+1 CC to SGP (SR-23358[F] dated 30/11/2020)

Order made in
W.P(MD) .No.16978 of 2020

Dated:
27.11.2020

ARK(CO)

NR (04/12/2020) 3P : 4C