



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2020

CORAM

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P. (MD) No.17111 of 2020

WEB COPY

V.Surlui

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Uthamapalyam, Theni District.

2.The Assistant Director Mines and Minerals,
Theni District.

3.The Inspector of Police,
Thevaram Police Station, Theni
District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent herein to release the petitioner's Tractor and Trailer bearing Registered No.TN-82-6017 and TN-72-W-1623 based on the petitioner's representation dated 14.10.2020.

For Petitioner

: Mr.A.Arputharaj

For Respondent

: Mr.A.Muthukaruppan,

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., Tractor and Trailer bearing Registered No.TN-82-6017 and TN-72-W-1623.

2.Mr.A.Muthukaruppan, learned Additional 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 disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

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,
Uthamapalyam, Theni District.
2. The Assistant Director Mines and Minerals,
Theni District.
3. The Inspector of Police,
Thevaram Police Station, Theni District.

+1 CC to M/s.SPL GP (SR-23528[F] dated 01/12/2020)

W.P. (MD) No.17111 of 2020
30.11.2020

CK(CO)
KB(09.12.2020) 2P 5C