



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2020**

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD) .No.17238 of 2020

Vijayakumar

.. Petitioner

Vs.

1.The Assistant Director,
Mines and Minerals,
Madurai District.

2.The Inspector of Police,
Melavalavoo Police Station,
Medurai District.

3.The Tahsildar,
Melur Taluk,
Madurai 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 petitioner's vehicle namely Tractor bearing Reg.No.TN 32 C 6451 with the Trailer bearing Registration No. TN 57 X 9354 based on the representation given by the petitioner dated 16.11.2020 within the time stipulated by this Court.

For Petitioner	:	Mr.S.MP.Amalan
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 vehicle namely Tractor bearing Reg.No.TN 32 C 6451 with the Trailer bearing Registration No. TN 57 X 9354 from his custody and to hand over the above vehicle to the petitioner forthwith, by considering the petitioner's representation dated 16.11.2020.

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

3. Heard Mr.S.MP.Amalan, 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 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-I)

// 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, Mines and Minerals, Madurai District.

2.The Inspector of Police, Melavalavoo Police Station,
Madurai District.

3.The Tahsildar, Melur Taluk, Madurai District.

+1 CC to M/s.GP (SR-23647[F] dated 02/12/2020)

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PU (CO)

AP (09/12/2020) 2P 5C