



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2020**

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD) .No.17619 of 2020

J.Prabhu

.. Petitioner

Vs.

1.The Assistant Director of Mines and Minerals,
Thanjavur District.

2.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

3.The Inspector of Police,
Pandhanallur Police Station,
Thanjavur 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 vehicle New Holland Excel 4710 Tractor bearing Chassis No.NHN47100ZJL450850 Engine No.SJ327A49637 with Tipper within the time stipulated by this Court.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mr.M.Rajarajan
Additional Government Pleader

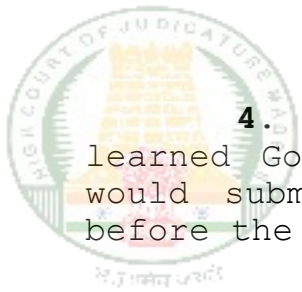
ORDER

(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 New Holland Excel 4710 Tractor bearing Chassis No.NHN47100ZJL450850 Engine No.SJ327A49637 with Tipper from their custody and to hand over the above vehicle to the petitioner forthwith, by considering the petitioner's representation dated 12.11.2020.

2. Mr.M.Rajarajan, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. Heard Mr.T.S.Mohamed Mohideen, learned counsel for the petitioner and Mr.M.Rajarajan, learned Additional 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(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

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 of Mines and Minerals, Thanjavur District.
- 2.The Revenue Divisional Officer, Kumbakonam, Thanjavur District.
- 3.The Inspector of Police, Pandhanallur Police Station, Thanjavur District.

+1 CC to M/s.T.S. MOHAMED MOHIDEEN, Advocate (SR-24054[F] dated 04/12/2020)

+1 CC to M/s.GP (SR-24405[F] dated 08/12/2020)

W.P (MD) .No.17619 of 2020
04.12.2020

TP (CO)

TR(16.12.2020) 2P 6C