



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.17992 of 2020

(Through Video Conferencing)

WEB COPY

M.Kandipan @ Kandeepan

... Petitioner

Vs.

1.The Assistant Director,
Geology and Mines, Dindigul District

2.The Revenue Divisional Officer,
Palani, Dindigul.

3.The Tahsildar(Mines),
Vedasandur Taluk,
Dindigul District.

4.The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to release the construction Equipment Vehicle (JCB) bearing registration No.TN 57 BT 3079 from the respondent's custody.

For Petitioner : Mr.P.Manikandan

For Respondents : Mr.M.Rajarajan
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to release the construction Equipment Vehicle (JCB) bearing registration No.TN 57 BT 3079 from the respondent's custody.

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

3. Heard Mr.P.Manikandan, 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 Additional Government Pleader 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-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

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 District Munsif -cum-Judicial Magistrate,
Vedasandhur,Dindigul District.
 - 2.The Assistant Director,
Geology and Mines, Dindigul District
 - 3.The Revenue Divisional Officer,
Palani, Dindigul.
 - 4.The Tahsildar(Mines),Vedasandur Taluk, Dindigul District.
 - 5.The Inspector of Police,
Vadamadurai Police Station,Vadamadurai, Dindigul District.
- +1 CC to M/s.GP (SR-24914[F] dated 10/12/2020)

Order made in

W.P. (MD)No.17992 of 2020

Dated:09.12.2020

MJ(CO)

AP(23/12/2020) 2P 7C

<https://hcservices.ecourts.gov.in/hcservices/>