



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 23.12.2020

CORAM

**THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P(MD).No.19261 of 2020**

**(Through Video Conference)**

Vigneshwaran

.. Petitioner

Vs.

1. The Revenue Divisional Officer,  
Sivagangai,  
Sivagangai District.
2. The Assistant Director,  
Department of Geology and Mines,  
Sivagangai District.
3. The Inspector of Police,  
Thiruppachethi Police Station,  
Sivagangai 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 Hero Splendor Plus two wheeler vehicle bearing Registration No.TN 63 BA 5043 which was seized by the third respondent police by way of considering the petitioner's representation dated 15.12.2020 within a stipulated time.

|                 |   |                                              |
|-----------------|---|----------------------------------------------|
| For Petitioner  | : | Mr.R.Venkatesan                              |
| For Respondents | : | Mr.C.Ramar,<br>Additional Government Pleader |

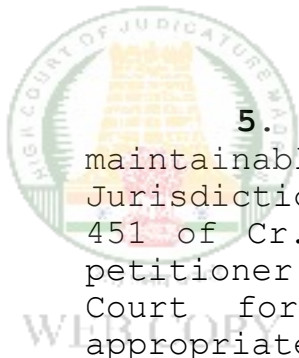
**O R D E R**

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to release the petitioner's Hero Splendor Plus two wheeler bearing Registration No.TN 63 BA 5043 which was seized by the third respondent police by way of considering the petitioner's representation dated 15.12.2020 within a stipulated time.

2. Mr.C.Ramar, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. Heard Mr.R.Venkatesan, learned counsel for the petitioner and Mr.C.Ramar, 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 (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sts/pm

**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,  
Sivagangai,  
Sivagangai District.
2. The Assistant Director,  
Department of Geology and Mines,  
Sivagangai District.
3. The Inspector of Police,  
Thiruppachethi Police Station,  
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TP(CO)

KB(07.01.2021) 2P 4C