



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.19218 of 2020

(Through Video Conference)

Venkatesan

.. 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 Platina Two Wheeler vehicle bearing Registration No.TN 63 BC 8833 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.Ramesh, Special Government Pleader

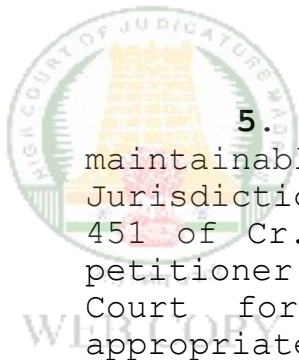
O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to release the petitioner's Platina Two Wheeler vehicle bearing Registration No.TN 63 BC 8833 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.Ramesh, learned Special Government Pleader accepts notice on behalf of the respondents.

3. Heard Mr.R.Venkatesan, 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 Special 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 Chief Judicial magistrate,
Sivagangai.
- 2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
3. The Assistant Director,
Department of Geology and Mines,
Sivagangai District.
- 4.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

+1CC to M/s.SP1 GP,SR.No.27335 dated 29/12/2020

W.P (MD) .No.19218 of 2020
23.12.2020

ES (CO)

KB(06.01.2021) 2P 6C