

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2148 of 2020

ORDER:

The present writ petition is filed seeking to declare the action of respondent No. 3 in not releasing the Motor Cycle bearing Registration No.TS 33 C 4162 as illegal and arbitrary.

2. It is the case of the petitioner that the aforesaid vehicle has been illegally detained by respondent No.3 on the ground that he was in an intoxicated condition.

3. It is stated by learned counsel for the petitioner that in similar circumstances, this Court disposed of W.P.No.2361 of 2019 by order dated 07.02.2019.

4. Learned Assistant Government Pleader for Home does not dispute the above position. However, the learned Assistant Government Pleader submits that the petitioner has to produce the original registration documents of the vehicle and give an undertaking before respondent No.3 that he will produce the vehicle in question before the Court concerned, as and when required.

5. In view of the same, the writ petition is disposed of directing the petitioner to appear before respondent No.3 with RC book relating to vehicle in question and also produce the proof of his identity and thereupon, respondent No.3 or other official, who has the custody of the vehicle in question, shall release the said vehicle to the petitioner forthwith.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:05.02.2020
grk