



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7193 of 2015

P.Nithya

...Petitioner

Vs

The District Revenue Officer,
Villupuram,
Villupuram District.

... Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to release the Tanker Lorry bearing Registration No.TN-32-AB-3699 seized by the Inspector of Police, Civil Supplies CID, Cuddalore, Cuddalore District on 21.11.2013 to the petitioner.

For Petitioner : M/s.Hemalatha
For Mr.C.Prakasam

For Respondent : Mr.K.M.D.Muhilan
Government Advocate

O R D E R

Heard M/s.Hemalatha for Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.K.M.D.Muhilan, learned Government Advocate appearing for the respondent.

2. The prayer in the writ petition is to direct the respondent to release the Tanker Lorry bearing registration No.TN-32-AB-3699 seized by the Inspector of Police, Civil Supplies CID, Cuddalore, Cuddalore District on 21.11.2013 to the petitioner.

3. According to the petitioner, she is the owner of the Tanker Lorry concerned and on suspicion that the vehicle was used as pilot for transporting rice bags, the vehicle was seized, but no rice bags were seized from the said Tanker Lorry

4. Taking into consideration the relief sought for, the respondent is directed to release the Tanker Lorry being



registration No. TN-32-AB-3699 to the petitioner on fulfilling the following conditions:-

(i) The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in cash before the respondent.

(ii) The petitioner shall produce the documents relating to the ownership of the vehicle.

(ii) The petitioner shall file an undertaking that she will produce the vehicle in question before the respondent as and when called for and that she will not alienate the vehicle in question till the proceedings initiated are completed.

(iv) On compliance of the above conditions, the respondent is directed to release the vehicle to the petitioner within three days.

(v) The respondent is directed to pass final orders in the adjudication proceedings, within a period of two months.

(vi) This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of criminal court. If the vehicle is in the custody of the criminal court, it is open to the petitioner to approach the Jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law.

(vii) As the Tanker Lorry was seized on 21.11.2013, the above order to be complied within three days, if no order of adjudication is passed or confiscation is passed as on today.

5. The writ petition is disposed of subject to the above conditions. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,
Villupuram,
Villupuram District.

2. The Inspector of Police,
Civil Supplies, CID,
Cuddalore, Cuddalore District.

+1 CC to The Government Pleader, Sr.No. 48973.

W.P.No.7193 of 2015

GJ(CO)
LS(20/10/2021)