



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.09.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.29035 of 2016

K.Thirumurthy

... Petitioner

Vs.

The District Revenue Officer,
Villupuram,
Villupuram District.

... Respondent

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to release the PIAGGIO Autorickshaw bearing registration No.TN-15-X-8979 seized by the Inspector of Police, Civil Supplies CID, Villupuram, Villupuram District on 29.04.2016 to the petitioner.

For Petitioner : Mrs.V.Sasirekha

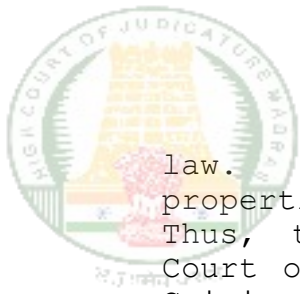
For Respondent : Mr.K.M.D.Muhilan (for R1)
Government Advocate.

O R D E R

The relief sought for in the present writ petition is to direct the respondent to release the petitioner's PIAGGIO Autorickshaw bearing registration No.TN-15-X-8979 seized by the Inspector of Police, Civil Supplies CID, Villupuram, Villupuram District, on 29.04.2016.

2. Admittedly, a criminal case was registered on 29.04.2016 under the Essential Commodities Act in Crime No.75 of 2016 on the file of Villupuram Police Station. When a criminal case is registered by the police authorities and the vehicle which was involved in the alleged criminal offence is seized by the police officials, then the release of property has to be done by following the procedure as contemplated under the Code of Criminal Procedure.

3. The vehicle / materials seized at the time of registering of a criminal case, are the material objects which are all to be produced in the criminal trial before the competent Court of



law. Therefore, the writ Court cannot dispose of such properties involved in the allegation of a criminal offence. Thus, the petitioner has to approach the competent criminal Court of law for grant of appropriate relief under the Code of Criminal Procedure.

4. With these observations, the writ petition stands dismissed. No Costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The District Revenue Officer,
Villupuram,
Villupuram District.

Copy to

The Section Officer,
VR Section,
High Court, Madras.

+1cc to the Government Pleader Sr.48984, 49042

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srg 18/10/2021