



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.14184 OF 2014

AND

M.P.NO.1 OF 2014

Velkumar

... Petitioner

Vs

District Revenue Officer,
Krishnagiri.

... Respondent

PRAYER :

Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the respondent in Na.Ka.No.21279/2013/F6 and quash the order of the respondent dated 18.03.2014 as against the petitioner herein and consequently direct the respondent to release the vehicle of the petitioner (TN30AM2218 Eicher Lorry).

For Petitioner : Mr.J.Franklin

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

O R D E R

The relief sought for in the present writ petition is to call for the records pertaining to the respondent in Na.Ka.No.21279/2013/F6 and quash the order of the respondent dated 18.03.2014 as against the petitioner and to direct the respondent to release the vehicle of the petitioner (TN 30 AM 2218 Eicher Lorry).

2. Admittedly, a criminal case was registered on 25.08.2013 under the TNSC (RDCS) Order 1982 read with Section 6(4) and 7(1) a (i) of the Essential Commodities Act, 1955 in Crime No.270/2013. 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

nti/kak

To

District Revenue Officer,
Krishnagiri.

+lcc to the Government Pleader, S.R.No. 50505

W.P.No.14184 of 2014

KV(CO)
CS/27/10/2021