



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25900 of 2021

Suresh

...Petitioner

Vs.

1. The District Revenue Officer,
District Collectorate,
Krishnagiri District.
2. The Inspector of Police,
CSCID Police Station, Krishnagiri,
Krishnagiri District.
(Crime No.140/2021)

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to release the petitioner's TATA 1109 lorry in bearing Registration No.TN.29 BU-2144 forthwith which was seized by the second respondent in Crime No.140 of 2021 on 25.09.2021 keeping under the custody of 1st respondent by considering the petitioner's representation dated 01.11.2021.

For Petitioner : Mr.M.Jayachandran

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation and to release his TATA 1109 lorry seized by the second respondent on 25.09.2021.

2.The case of the petitioner is that the petitioner's vehicle namely, TATA 1109 Lorry bearing Registration No.TN.29 BU-2144 was seized by the second respondent on 25.09.2021 on the allegation that it was involved in illegal transportation of PDS rice. The petitioner made representation to the first respondent seeking to release his vehicle and since the same has not yet been considered. Hence, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner, without prejudice to his rights and



contentions, is ready to deposit a sum of Rs.1,50,000/- before the first respondent and on such deposit being made, the first respondent may be directed to release the vehicle.

4.The learned Additional Government Pleader appearing for the respondents has no serious objection.

5.Admittedly, the petitioner's vehicle was seized on the premise that it was allegedly involved in illegal transportation of PDS rice. Keeping the vehicle idle will no longer serve any purpose. Hence, this Court issues direction to release the petitioner's vehicle namely, TATA 1109 lorry bearing Registration No.TN.29 BU-2144 , on the following conditions:

(i)The petitioner, without prejudice to his rights and contentions shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) before the first respondent within a period of two weeks from the date of receipt of a copy of this order;

(ii)The petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification of the Authority;

(iii)On receipt of payment as stated supra and also on being satisfied with the ownership of the vehicle, the first respondent shall release the subject vehicle, within a period of one week from the date of deposit;

(iv)The petitioner shall not use the said vehicle for any unlawful purpose and also shall not alienate the same during the pendency of the proceedings;

(v)It is open to the respondent to initiate proceedings in accordance with law and pass appropriate orders on merits, as expeditiously as possible.

6.The writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

skt



To

1. The District Revenue Officer,
District Collectorate,
Krishnagiri District.

2. The Inspector of Police,
CSCID Police Station, Krishnagiri,
Krishnagiri District.

+1cc to Mr.M.Jayachandran, Advocate, S.R.No.64108

+1cc to the Government Pleader, S.R.No.64374

W.P.No.25900 of 2021

SRA(CO)
RGA(11/01/2022)