



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.1396 of 2021

WEB COPY

Mathy

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
Pudukkottai District,
Pudukkottai.

2.The Assistant Director,
Mines and Minerals Department,
Pudukkottai District.

3.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicle ie., Tipper Lorry bearing Registration No.TN 55 AB 7824 seized by the third respondent on 05.01.2021 on the basis of the petitioner's representation dated 21.01.2021.

For Petitioner : Mr.D.Rameshkumar
For Respondents : Mr.G.Arjunan
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The learned Government Advocate informs the Court that the vehicle in question is involved in a similar type of offence in the recent past. Therefore, I am not inclined to exercise my discretion in the writ jurisdiction.

3. The respondents cannot keep the vehicle in their custody indefinitely. Therefore, the respondents are directed to produce the vehicle before the Court below immediately and without any delay. It is open to the petitioner to move the Court below for release of the vehicle. As and when the petition is filed by the



petitioner, the same will be disposed of on merits and in accordance with law within a period of ten days thereafter. I make it clear that I have not gone into the merits of the matter.

4. With this direction to the respondents and with the aforesaid liberty to the petitioner, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Revenue Divisional Officer,
Pudukkottai District,
Pudukkottai.

2.The Assistant Director,
Mines and Minerals Department,
Pudukkottai District.

3.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

+1 CC to M/s.GP (SR-2809[F] dated 02/02/2021)

W.P. (MD)No.1396 of 2021

29.01.2021

NA(CO)

TR(05.02.2021) 2P 5C