



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.1537 of 2021

Ramar

... Petitioner

Vs

1.The Assistant Director,
Mines and Minerals Department,
Madurai District.

2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Inspector of Police,
Elumalai Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to release the Tractor bearing Registration No.TN 60 X 3350 along with trailer seized in connection with Crime No.86 of 2015 on the file of the third respondent police on 18.03.2020.

For Petitioner : Mr.T.Palanisamy

For Respondents : Mr.C.Ramar

Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The learned Additional Government Pleader states that the vehicle has already been produced before the jurisdictional Court and that RPR number has been assigned.

3.The learned counsel appearing for the petitioner informs the Court that the petitioner herein has purchased the vehicle in question from the previous owner. But then, his name is yet to be shown in the R.C.Book. The original R.C.Book is said to be with the financier. However, the purchase agreement is with the petitioner herein.

4.Therefore, it is for the petitioner to move the jurisdictional Court for release of the vehicle. The Court below will number and entertain the petition to be filed by the petitioner, even though his name is not in the R.C.Book and even though he is unable to produce the original R.C.Book. The petitioner has to produce the documents evidencing acknowledgment



from the financier. 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.

5. With this direction to the Court below, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Assistant Director,
Mines and Minerals Department,
Madurai District.
- 2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.
- 3.The Inspector of Police,
Elumalai Police Station,
Madurai District

+1 CC to M/s.SPL GP (SR-3062[F] dated 03/02/2021)

.

W.P. (MD)No.1537 of 2021
02.02.2021

MJ(CO)

KB(09.02.2021) 2P 5C