



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.03.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH  
AND  
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.3914 of 2021**  
(Through Video Conferencing)

Kuttrala Pandi : Petitioner  
Vs.

1.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer  
Sivakasi,  
Virudhunagar District

2.The Inspector of Police,  
Krishnankovil Police Station,  
Krishnankovil,  
Virudhunagar District.

3.The Assistant Director,  
Department of Geology and Mines  
Virudhunagar District.

: Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the respondents to release the petitioner's JCB vehicle bearing Registration No.TN 84-Y 6043 and Tractor bearing Registration No.TN 97 -3256 along with Trailer bearing Registration No.TN 76A 6273 seized by the 2<sup>nd</sup> respondent on 12.02.2021.

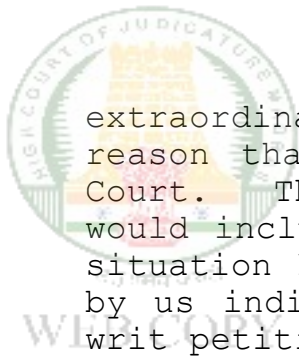
For Petitioner : Mr.A.Balaji  
For Respondents : Mrs.J.Padmavathi Devi  
Special Government Pleader

**ORDER**

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner, who is claiming to be the owner of the vehicle, seeks release of the same by filing the writ petition in pursuant to the representation made on 12.02.2021.

2.We have already held that remedy open to the petitioner is to approach the jurisdictional designated Court and not to invoke the



extraordinary jurisdiction of this Court. This is also for the reason that power of confiscation is available to the designated Court. Though an FIR has been registered, the offence involved would include Section 21(1) of the Mines and Minerals Act. Such a situation has already been taken note of by way of a clarification by us indicating the procedure to be followed. Thus, the present writ petition stands closed giving liberty to the petitioner to work out his remedy in the manner known to law in tune with the order of the Division Bench. If any application is made by the petitioner, the same would be considered within two weeks from the date of receipt of such application. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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,  
Office of the Revenue Divisional Officer  
Sivakasi, Virudhunagar District

2.The Inspector of Police,  
Krishnankovil Police Station,  
Krishnankovil,  
Virudhunagar District.

3.The Assistant Director,  
Department of Geology and Mines  
Virudhunagar District.

+1 CC to M/s.A.BALAJI, Advocate ( SR-12828[F] dated 22/03/2021 )

+1 CC to M/s.SPL GP ( SR-12968[F] dated 23/03/2021 )

Order made in  
**W.P. (MD)No.3914 of 2021**  
Dated: 22.03.2021

RK (21.04.2021) 2P 6C

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