



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND**

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.6824 of 2021

Aravindh, S/o.Karunanithi

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Kumbakonam,
Thanjavur District.

2.The Assistant Director,
Department of Geology and Mines,
Kumbakonam,
Thanjavur District.

3.The Inspector of Police,
Ammapettai Police Station,
Thanjavur 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 herein to release the TATA ACE (NCP) of the petitioner, bearing Registration No.TN-45-AJ-5392, which was seized by the third respondent.

For Petitioner : Mr.S.Venkatesan

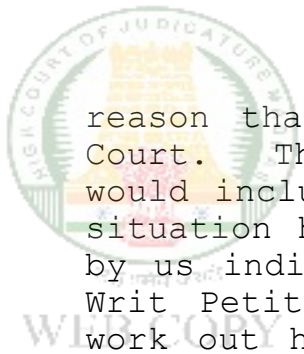
For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

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 his representation made on 07.02.2021.

2.We have already held that the 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. As and when an application is filed by the petitioner, the same shall be disposed of within two weeks from the date of receipt of such an application. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

smn2

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,
Revenue Divisional Office,
Kumbakonam,
Thanjavur District.
- 2.The Assistant Director,
Department of Geology and Mines,
Kumbakonam,
Thanjavur District.
- 3.The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-13894[F] dated 26/03/2021)

Order made in
W.P. (MD)No.6824 of 2021
Dated: 25.03.2021

RK (23.04.2021) 2P 5C