



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.03.2021

CORAM:

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

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.3892 of 2021

(Through Video Conferencing)

Sekar

: Petitioner

Vs.

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

2.The Assistant Director,
Department of Geology and Mines
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 to release the TATA SFC407 van of the petitioner bearing Registration No. TN28R6781 which was seized by the 3rd respondent.

For Petitioner : Mr.S.Venkatesan

For Respondents : Mr.N.Shanmugaselvam

Additional 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 17.02.2021.

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 disposed of within two weeks from the date of receipt of such application. No costs.

Sd/-

Assistant Registrar (Records)

WEB COPY

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

+1 CC to M/s.SPL GP (SR-14804[F] dated 31/03/2021)

W.P. (MD)No.3892 of 2021

Dated: 30.03.2021

KK(25.05.2021) 2P 5C