



WEB COPY

W.P.(MD)No.5919 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.5919 of 2021

(Through Video Conferencing)

S.Murugaiah

: Petitioner

Vs.

1.The Assistant Director,
Department of Geology and Mining,
Collectorate,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Karaikudi,
Sivagangai District.

3.The Inspector of Police,
Pallathur Police Station,
Pallathur,
Sivagangai 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 petitioner's vehicle, namely, Ashok Leyland Tipper Lorry bearing registration No.TN 55 AB 3395 to the petitioner.

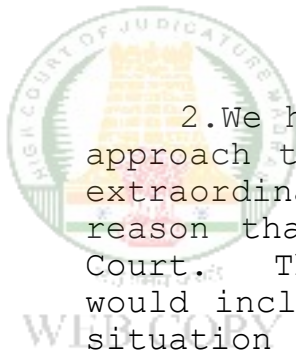
For Petitioner : Mr.C.Prithviraj

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 the 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. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gk

To

1.The Assistant Director,
Department of Geology and Mining,
Collectorate,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Karaikudi,
Sivagangai District.

3.The Inspector of Police,
Pallathur Police Station,
Pallathur,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-12178[F] dated 18/03/2021)

Order made in
W.P. (MD)No.5919 of 2021
Dated: 17.03.2021

VB (30.03.2021) 2P 5C