



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.5444 of 2021

Murugan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Prohibition Enforcement Wing
Ramanathapuram,
Ramanathapuram District.

2.Muthuraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned confiscation order vide ந.க.எண் .78/பறிமுதல்/கடகா.க/இராம/2019, dated 12.03.2020, passed by the 1st respondent and quash the same as illegal and consequently, direct the respondents to release the petitioner's vehicle, bearing Registration No.TN-65-AW-1617.

For Petitioner : Mr.A.Arputharaj
For Respondent-1 : Mr.P.Thilak Kumar
Govt.Advocate

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned confiscation order in ந.க.எண் .78/பறிமுதல்/கடகா.க/இராம/2019, dated 12.03.2020, passed by the 1st respondent and quash the same as illegal and consequently, direct the respondents to release the petitioner's vehicle, bearing Registration No.TN-65-AW-1617.

2.When the matter is taken up for hearing, the learned Government Advocate appearing for the 1st respondent on instructions would submit that the proceedings under challenge in this writ petition is only a show-cause notice, not an confiscation order. However, an order of confiscation has been passed on 03.04.2021 and therefore, the writ petition has become infructuous.

3.Therefore, in the light of the submissions made by the learned Government Advocate that an order of confiscation has been passed on 03.04.2021, the Writ Petition is dismissed as



infructuous. However, the petitioner is at liberty to challenge the confiscation proceedings, in the manner known to law. No Costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

The Deputy Superintendent of Police,
Prohibition Enforcement Wing
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.The Special Government Pleader (SR-24197[F] dated 28/07/2021)

W.P (MD) No. 5444 of 2021

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RS (06.09.2021) 2P 3C