



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2021

CORAM:

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

WEB COPY

W.P. (MD)No.6170 of 2021
(Through Video Conferencing)

P.Krishnan

: Petitioner

Vs.

1.The Assistant Director,
Geography and Mines Department
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram
Ramanathapuram District.

3.The Tahsildar,
Thiruvadanai Taluk
Thiruvadanai
Ramanathapuram District.

4.The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District
in Crime No.47/2021.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents to release the petitioner's ESCORT/POWERTRAC TRACTOR-PT EURO-50 vehicle bearing NO.TN65AE3796 and hand over the same to the petitioner.

For Petitioner : Ms.R.M.Geetha

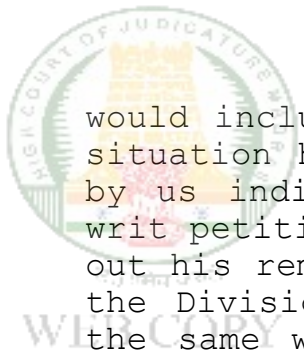
For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

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 07.03.2021.

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 (CS-I)

// 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.

RR

To

1.The Assistant Director,
Geography and Mines Department
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram
Ramanathapuram District.

3.The Tahsildar,
Thiruvadanai Taluk
Thiruvadanai, Ramanathapuram District.

4.The Inspector of Police,
Thiruvadanai Police Station, Ramanathapuram District

+1 CC to M/s.SPL GP (SR-15332[F] dated 07/04/2021)

+1 CC to M/s.RM.GEETHA, Advocate (SR-15386[F] dated 07/04/2021)

Order made in
W.P. (MD)No.6170 of 2021
Dated: 01.04.2021