



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2021

CORAM:

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

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.6128 of 2021

(Through Video Conferencing)

Pandi : Petitioner
Vs.

1.The Assistant Director,
Geology and Mining,
Collectorate, Madurai.

2.The Revenue Divisional Officer,
Madurai,
Madurai District

3.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

(Crime No:2007 of 2020)

: 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 petitioner's Mahindra 475D1 Tractor bearing Registration No.TN 76 A 8601.

For Petitioner : Mr.G.Kasinathadurai

For Respondents : Mr.N.Shanmuga Selvan

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 10.03.2021.

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. As and when an application is filed by the petitioner, the same would be disposed of by the respondents within two weeks from the date of receipt of such an application. No costs.

Sd/-

Assistant Registrar ()

// 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 Assistant Director,
Geology and Mining,
Collectorate, Madurai.
- 2.The Revenue Divisional Officer,
Madurai,
Madurai District
- 3.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

+1 CC to M/s.SPL GP (SR-12545[F] dated 19/03/2021)

Order made in
W.P. (MD)No.6128 of 2021
Dated: 18.03.2021

RK (20.04.2021) 2P 4C