



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.(MD) No.7961 of 2021

Kanaga Manikandan

...Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The District Revenue Officer,
Trichy,
Trichy District.

3.The Inspector of Police,
Civil Supply - CID - Trichy,
Trichy District.

... Respondents

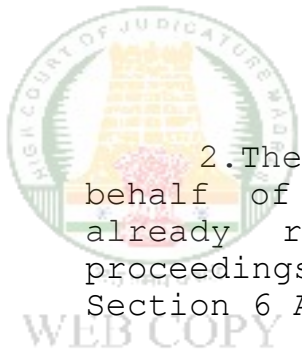
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to release the Bolero Maxi Truck Plus Vehicle bearing Reg.No.TN 48 AD 9497 to the petitioner by considering the petitioner's representation, dated 11.03.2021.

For Petitioner : Mrs.R.Shunmathi Priya

For Respondent : Mr.M.Muniasamy
Additional Government Pleader

O R D E R

This writ petition has been filed for the issuance of Writ of Mandamus, directing the respondents to release the Bolero Maxi Truck Plus Vehicle, that was seized from the petitioner in the course of investigation in Crime No.40 of 2021, which was registered by the third respondent for the alleged offences under Sections 6(4) of TN Scheduled Commodities (RDCS) Order 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955.



2.The learned Additional Government Pleader appearing on behalf of the respondents submitted that third respondent has already referred the matter for initiation of confiscation proceedings before the second respondent, on 17.04.2021, under Section 6 A of the Essential Commodities Act.

3.Taking into consideration the facts and circumstances of the case and the nature of allegations made against the petitioner, there shall be a direction to the respondents to release the vehicle to the petitioner subject to the following terms and conditions.

a) The petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) before the second respondent.

b) The petitioner shall surrender the original RC Book before the second respondent and it shall be kept in the custody of the second respondent till the completion of the confiscation proceedings.

c)The second respondent shall immediately proceed further with the confiscation proceedings by issuing notice to the petitioner and affording him an opportunity and final order shall be passed strictly within a period of eight weeks from the date of receipt of a copy of this order and

d)The petitioner shall give an undertaking before the second respondent to the effect that the vehicle will be surrendered in case order of confiscation is ultimately passed by the second respondent.

4.The petitioner is directed to make a fresh representation to the respondents along with the copy of this order.

5.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// 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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Trichy District,
Trichy.

2.The District Revenue Officer,
Trichy,
Trichy District.

3.The Inspector of Police,
Civil Supply - CID - Trichy,
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W.P. (MD) No.7961 of 2021
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JA(05.05.2021) 3P 4C