



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P. (MD) No.10077 of 2021

Ratheesh

...Petitioner

Vs.

The District Revenue Officer
Kanyakumari District.
At Nagercoil

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to release the vehicle light Goods Carriage Ashok Leyland Dost Bearing Registration No.TN 75 P 1248 to the petitioner seized on 22.04.2021, which is in the custody of the respondent.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.M.Lingadurai
Government Advocate (Civil)

O R D E R

This writ petition has been filed for the issuance of a Writ of Mandamus, directing the respondent to release the vehicle belonging to the petitioner by considering his representation dated 27.04.2021.

2.The case of the petitioner is that he is the agreement holder of the subject vehicle and this vehicle was seized by the respondent on 22.04.2021.

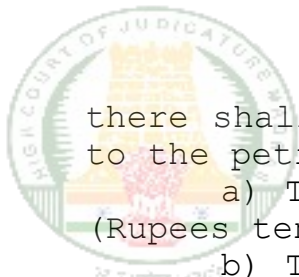
3. The grievance of the petitioner is that the vehicle has been exposed to rain and shine and till date the vehicle has not been returned back to the petitioner. The petitioner therefore made a representation on 27.04.2021 and since the same was not acted upon, left with no other alternative, the present writ petition came to be filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Government counsel appearing for the respondents.

5. The learned Government counsel appearing on behalf of the respondent submitted that Special squad has seized the vehicle and referred the matter before the respondent to initiate confiscation proceedings and the same is pending.

6.Taking into consideration the facts and circumstances of the case and the nature of allegations made against the petitioner,

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



there shall be a direction to the respondent 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 respondent.

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

c) The 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 respondent to the effect that the vehicle will be surrendered in case order of confiscation is ultimately passed by the respondent.

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

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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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
The District Revenue Officer
Kanyakumari District.
At Nagercoil

+1 CC to M/s.SPL GP (SR-19664[F] dated 18/06/2021)

W.P. (MD) No.10077 of 2021
17.06.2021

GS (24.06.2021) 2P 3C