



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10279 of 2021
(Through Video Conferencing)

Kathirvel

... Petitioner

Vs.

1.The District Revenue Officer,
Thoothukudi
Thoothukudi District.

2.The Inspector of Police,
Civil Supplies CID
Thoothukudi

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the first respondent to release the Ashok Leyland Dost Vehicle bearing registration No.TN 59 CD 0094 seized by the second respondent on 07.06.2021 to the petitioner.

For Petitioner

:Mr.T.Leninkumar

For Respondent

:Mr.M.Lingadurai
Government Advocate (civil)

ORDER

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 10.06.2021.

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 07.06.2021.

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 10.06.2021 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 the vehicle is in possession of the second respondent and the second respondent is yet to refer the matter to the first respondent to initiate confiscation proceedings.

6. 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 first respondent.

b) The petitioner shall surrender all the relevant documents before the first respondent and it shall be kept in the custody of the first respondent till the completion of the confiscation proceedings.

c) The first 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 first respondent to the effect that the vehicle will be surrendered in case order of confiscation is ultimately passed by the first 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 (CS-I)

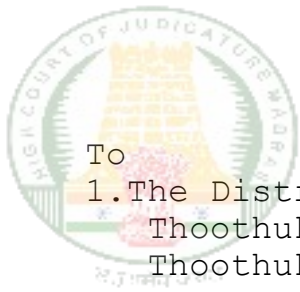
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/ /2021

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 District Revenue Officer,
Thoothukudi
Thoothukudi District.

2.The Inspector of Police,
Civil Supplies CID
Thoothukudi

+1 CC to SPL GP (SR-19744[F] dated 21/06/2021)

W.P. (MD) No.10279 of 2021
18.06.2021

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KM(29.06.2021) 3P 4C