



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

W.P. (MD) Nos.10556, 10558, 10559, 10562 & 10563 of 2021

Subramanian	.. Petitioner in WP(MD).10556/2021
Sivalingaperumal	.. Petitioner in WP(MD).10558/2021
Ponsingh	.. Petitioner in WP(MD).10559/2021
Ramasamy	.. Petitioner in WP(MD).10562/2021
Sivan Vaithilinga Raja	.. Petitioner in WP(MD).10563/2021

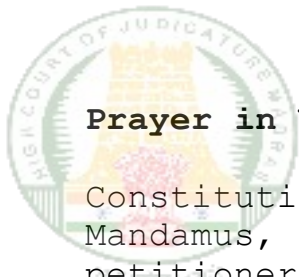
Vs

1. The Revenue Divisional Officer,
Tenkasi Taluk, Tenkasi District.
 2. The Assistant Director of Mines and Minerals,
Tenkasi District, Tenkasi.
 3. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
- .. Respondents in all Cases

PRAYER IN WP(MD)10556/2021: Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus by directing the 1st and 3rd respondents to release the petitioner's Tractor with Trailer bearing Registration No.TN 76 AR 0927, on the basis of the petitioner's representation dated 15.06.2021, within a stipulated time frame fixed by this Court.

Prayer in WP(MD). 10558/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st and 3rd respondents to release the petitioners Tractor with Trailer bearing Regn. No. TN 76 A 7542, on the basis of the petitioners representation dt. 15.06.2021, within a stipulated period as fixed by this Honble Court and pass such any or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



Prayer in WP(MD) . 10559/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st and 3rd respondents to release the petitioners Tractor with Trailer bearing Regn. No. TN 72 AW 0423, on the basis of the petitioners representation dt. 15.06.2021, within a stipulated period as fixed by this Honble Court and pass such any or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD) . 10562/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st and 3rd respondents to release the petitioners Tractor with Trailer bearing Regn. No. TN 76 9921 and TN 76 AR 0337, on the basis of the petitioners representation dt. 15.06.2021, within a stipulated period as fixed by this Honble Court and pass such any or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD) . 10563/ 2021 :

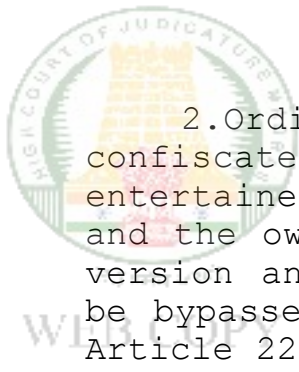
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st and 3rd respondents to release the petitioners Tractor with Trailer bearing Regn. No. TN 76 AW 2183, on the basis of the petitioners representation dt. 15.06.2021, within a stipulated period as fixed by this Honble Court and pass such any or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners	: Mr.J.Jeyakumaran in all cases
For Respondents	: Mr.A.K.Manickam, Standing Counsel for Government in all Writ Petitions

COMMON ORDER

[Order of the Court was made by
THE HON'BLE CHIEF JUSTICE]

Several petitioners complain of their vehicles being detained on the apprehension that produce from illegal mining activities were being transported in such vehicles.



2. Ordinarily, a writ petition seeking release of vehicles confiscated or detained in such circumstances may not be entertained. There is a procedure for the vehicle to be produced and the owner of the vehicle having an opportunity to present his version and make a prayer for its release. Such procedure cannot be bypassed by resorting to this extraordinary jurisdiction under Article 226 of the Constitution.

3. However, the petitioners say that the vehicles have not been produced before the relevant Magistrates within reasonable time. It is possible that because of the raging second surge of the pandemic, when normal activities came to a standstill, the vehicles could not be produced.

4. W.P.(MD) Nos. 10556, 10558, 10559, 10562 & 10563 of 2021 are disposed of by directing the relevant police authorities to ensure that the vehicles are produced before the relevant Magistrates within a period of four weeks from date.

5. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

MR/TSG

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 Revenue Divisional Officer,
Tenkasi Taluk, Tenkasi District.



2. The Assistant Director of Mines and Minerals,
Tenkasi District, Tenkasi.

3. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.

WEB COPY

+1 CC to SPL GP (SR-20566[F] dated 29/06/2021)

W.P. (MD) Nos.10556, 10558, 10559,
10562 & 10563 OF 2021
25.06.2021

KM(02.07.2021) 4P 5C