



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) .No.13693 of 2021

WEB COPY

K.Sarpudeen

...Petitioner

Vs

1.The District Revenue Officer,
Dindigul,
Dindigul District.

2.The Inspector of Police,
Civil Supplies C.I.D.,
Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the petitioner's TATA ACE Light Goods Vehicle TN 18 B1792 seized on 20.01.2021, to the petitioner.

For Petitioner : Mr.B.Sargunam

For Respondents : Mr.R.Baskaran
counsel for state

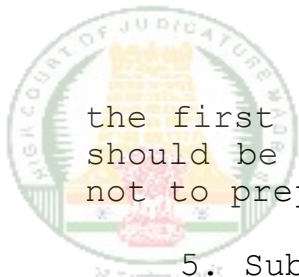
ORDER

The petitioner seeks release of the Tata Ace Vehicle bearing registration No. TN-18-B-1792.

2. The petitioner states that he is the registered owner of the aforesaid vehicle, which was given on hire basis to one Mr.Saravanan. The petitioner stated that he was unaware that the vehicle was used by Mr.Saravanan and Mr.Mohammed Yasin for illegal transportation of PDS rice. Upon coming to know about the seizure of the vehicle, the petitioner made a representation on 20.01.2021 for the release of the vehicle, but no orders have been passed on such representation.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of both the respondents.

4. The registration certificate of the vehicle discloses that the petitioner is the registered owner thereof. Nevertheless, the first respondent would have to determine whether the petitioner was actually unaware of the purpose for which the vehicle was being used by the person who hired the same from the petitioner. In addition,



the first respondent would have to determine whether any safeguards should be incorporated prior to the release of such vehicle so as not to prejudice the pending criminal proceedings.

5. Subject to the above observations but without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 20.01.2021 and dispose of the same within a period of 30 days from the date of receipt of a copy of this order. The representation shall be disposed of by a reasoned order after providing a reasonable opportunity to the petitioner and the hirers of the vehicle.

6. W.P.(MD).No.13693 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

To

1.The District Revenue Officer,
Dindigul,
Dindigul District.

2.The Inspector of Police,
Civil Supplies C.I.D.,
Dindigul.

W.P. (MD) .No.13693 of 2021
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