



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.13917 of 2021

WEB COPY

Master Stalin

... Petitioner

Vs.

1. The District Revenue Officer,
Nagercoil, Kanyakumari District.

2. The District Supply Officer,
Nagercoil, Kanyakumari District.

3. The Taluk Supply Officer,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to release the petitioner's lorry bearing registration No.TN-72-AE-5851 seized by the second respondent on 04.07.2021 to the petitioner.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.P.Subbaraj,
Counsel for State

O R D E R

The petitioner seeks release of the lorry bearing registration No.TN-72-AE-5851.

2. The petitioner states that such lorry was seized on 04.07.2021 on the allegation that it had been used to transport 355 litres of white colour Kerosene. According to the petitioner no FIR has been registered in respect of the incident. In spite of such situation, it is stated that the vehicle has not been released till date.

3. The petitioner further states that the condition of the vehicle is deteriorating and that therefore urgent orders are necessary.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the District Revenue Officer may be directed to dispose of the petitioner's representation expeditiously.



5. The documents on record disclose that the petitioner is the registered owner of the vehicle. Although the petitioner contends that no FIR has been registered, a positive direction cannot be issued in the absence of all relevant facts. Nonetheless, the first respondent should consider and dispose of the petitioner's representation expeditiously.

6. Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 04.07.2021 for release of the vehicle and dispose of the same within a period of thirty (30) days from the date of receipt of a copy of this order. In case the first respondent intends to release the vehicle, appropriate safeguards may be incorporated in case there are pending criminal proceedings.

7. W.P(MD).No.13917 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To:

1. The District Revenue Officer,
Nagercoil, Kanyakumari District.
2. The District Supply Officer,
Nagercoil, Kanyakumari District.
3. The Taluk Supply Officer,
Kalkulam Taluk,
Kanyakumari District.

+1 CC to M/s.GP (SR-25894[F] dated 11/08/2021)

W.P. (MD) No.13917 of 2021

10.08.2021

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