



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.13897 of 2021

WEB COPY

Iyyadurai

... Petitioner

versus

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

3.The Inspector of Police,
CSCID Police Station,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents to release the petitioner's Ashok Leyland Dost Vehicle with bearing registration number TN-72-BQ-3767 from their custody within a time frame.

For Petitioner : Mr.Navaneetharaja.K

For Respondents : Mr.P.Subbaraj
Counsel for the State

ORDER

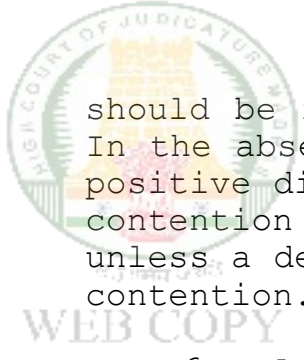
The petitioner seeks release of his Ashok Leyland Dost Vehicle bearing Registration No.TN-72-BQ-3767.

2. The petitioner states that he is the registered owner of the above mentioned vehicle, which was seized in June 2021 by the third respondent on the ground that it was used for illegal transportation of PDS rice.

3. The petitioner states that he was not involved in the transportation of PDS rice and came to know about the same only upon the seizure of the vehicle. It is also stated that the vehicle is exposed to the sun and rain on a day-to-day basis and therefore the condition thereof is deteriorating.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all three respondents.

5. Although the petitioner seeks release of the vehicle, it



should be noted that an FIR has been registered in Crime No.51/21. In the absence of all the relevant facts, this Court cannot issue a positive direction as requested by the petitioner. Nevertheless, the contention that the condition of the vehicle would deteriorate unless a decision is taken quickly on the release thereof is a valid contention.

6. Accordingly, without going into the merits of the petitioner's request, the second respondent herein is directed to consider the petitioner's representation dated 22.06.2021 and dispose of the same by a reasoned order within a period of 30 days from the date of receipt of a copy of this order. In the event that the second respondent is inclined to release the vehicle, appropriate safeguards, including security, should be incorporated in such order so as to ensure that the pending criminal proceedings are not prejudiced.

7. W.P.(MD).No.13897 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 Collector,
Thoothukudi District, Thoothukudi.
- 2.The District Revenue Officer,
Thoothukudi District,Thoothukudi.
- 3.The Inspector of Police,
CSCID Police Station,Thoothukudi District.

+1 CC to M/s.GP (SR-25872[F] dated 11/08/2021)

W.P (MD) No.13897 of 2021
10.08.2021

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