



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14373 of 2021

Vijayakumar

... Petitioner

Vs.

1.The District Revenue Officer,
District Revenue Office,
Karur District.

2.The Inspector of Police,
CSCID Police,
Karur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to release the Goods Carrier bearing Registration No.TN-28-AQ-4842, Engine No.ADH019067P seized by the second respondent on 27.07.2021 to the petitioner forthwith based on the representation of the petitioner, dated 30.07.2021.

For Petitioner : Mr.Deepan Uday
For R1 & R2 : Mr.R.Baskaran
Counsel for State.

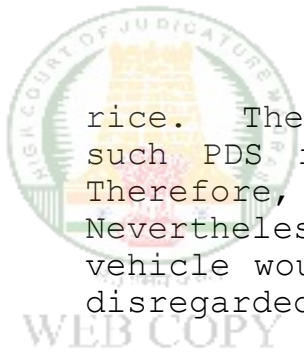
ORDER

The petitioner seeks release of a Goods Carrier vehicle bearing Registration No.TN-28-AQ-4842.

2. The petitioner states that he is the registered owner of the aforesaid vehicle and that the said vehicle was seized on 27.07.2021 on the alleged ground of transportation of PDS rice illegally. It is also stated that a F.I.R. was registered in Crime No.70 of 2021. The petitioner states that the condition of the vehicle would deteriorate unless it is released quickly and that the petitioner's livelihood has been badly impacted by the retention of the vehicle by the authorities.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the District Revenue Officer may be directed to consider and dispose of the petitioner's representation on merits within a reasonable time frame.

4. The documents on record disclose that the petitioner is the registered owner of the vehicle. It is also clear that a F.I.R. was registered in connection with the alleged transportation of PDS



rice. The status of such investigation, the quantum and value of such PDS rice and related factors are not available on record. Therefore, a mandamus to release the vehicle cannot be issued. Nevertheless, the petitioner's contention that the condition of the vehicle would deteriorate unless urgent orders are passed cannot be disregarded.

5. Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 30.07.2021 and pass a reasoned order thereon within a period of thirty (30) days from the date of receipt of a copy of this order. In case the first respondent is inclined to release the vehicle, appropriate safeguards may be incorporated in the order so as not to prejudice the pending criminal proceedings.

6. W.P.(MD).No.14373 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 District Revenue Officer,
District Revenue Office,
Karur District.

2.The Inspector of Police,
CSCID Police,
Karur District.

+1 CC to M/s.DEEPAN UDAY, Advocate (SR-26545[F] dated 17/08/2021)
+1 CC to M/s.GP (SR-26516[F] dated 17/08/2021)

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RD(26.08.2021) 2P 5C

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