



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14702 of 2021

P.Piramu

... Petitioner

Vs.

1.The District Revenue Officer,
Tirunelveli District.

2.The Inspector of Police,
CSCID,
Tirunelveli 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 petitioner's TVS Jupiter bearing registration No. TN-72, BS-4862 pertaining to the case in Cr.No.130 of 2021, on the file of the second respondent herein and return the vehicle to petitioner based on his representation, dated 28.07.2021.

For Petitioner : Mr.A.Sivasubramanian

For Respondents : Mr.R.Baskaran

Counsel for State.

ORDER

The petitioner seeks the release of a TVS Jupiter two-wheeler bearing registration No.TN 72 BS-4862.

2. The petitioner states that the aforesaid vehicle was seized on 04.07.2021 on the basis of an allegation that it was used to carry PDS rice. It is stated that a case was registered in Crime No.130 of 2021 under the relevant provisions of the Essential Commodities Act, 1955 and related legislation.

3. The petitioner claims that the vehicle is deteriorating in condition and that it is imperative that the vehicle be released forthwith.

4. 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 dispose of the petitioner's request on merits.

5. The documents on record reflect that the petitioner is the registered owner of the vehicle. However, the precise details of the quantity of PDS rice, the value thereof and other material facts are not before this Court. Therefore the release of the



vehicle cannot be ordered. Nonetheless, the petitioner's contention that the condition of the vehicle would deteriorate unless the vehicle is released quickly merits consideration.

6. Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 28.07.2021 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 is inclined to release the vehicle, appropriate safeguards may be incorporated in such order so as to not prejudice the criminal proceedings.

7. W.P.(MD).No.14702 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)

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,
Tirunelveli District.

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

+1 CC to M/s.GP (SR-26893[F] dated 23/08/2021)

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RD(1.09.2021) 2P 4C