



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2021

CORAM

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.14869 of 2021

Kodeeswaran

... Petitioner

Vs.

1. The Senior Regional Manager
cum The District Revenue Officer,
Tamilnadu Civil Supplies Corporation,
Thanjavur Region,
Thanjavur District.

2. The District Revenue Officer,
Thanjavur,
Thanjavur District.

3. The Inspector of Police,
Civil Supplies C.I.D,
Thanjavur District.

... 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 vehicle bearing registration No.TN 50-AX-8957 (Lorry) to the petitioner forthwith.

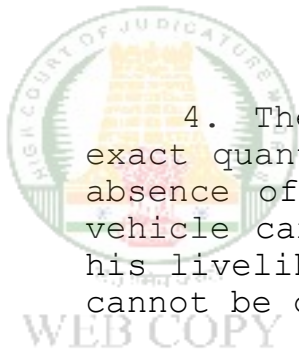
For Petitioner	:	Mr.S.Venkatesan
For Respondents	:	Mr.P.Subbaraj Counsel for State

ORDER

The petitioner seeks the release of lorry bearing Registration No.TN-50-AX-8957.

2. The petitioner states that he is the registered owner of the aforesaid vehicle. One Natarajan, who is said to be a whole sale trader, had hired his vehicle. On 13.07.2021, the vehicle was seized on the ground of unlawful transportation of PDS rice. According to the petitioner, the vehicle was not released in spite of submitting a representation dated 16.07.2021. The petitioner also states that he is entirely dependent on the vehicle for livelihood and that he may be put to heavy loss unless the same is released quickly.

3. 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 within a reasonable time frame.



4. The value of the PDS rice which was seized and even the exact quantum thereof is not on record in these proceedings. In the absence of all material facts, a direction for the release of the vehicle cannot be issued. However, the petitioner's contention that his livelihood would be affected unless the vehicle is released soon cannot be disregarded.

5. Accordingly, without going into the merits of the matter, the District Revenue Officer is directed to consider the petitioner's representation dated 16.07.2021 and pass a reasoned order thereon within a period of 30 days from the date of receipt of a copy of this order. Such reasoned order shall be passed after providing a reasonable opportunity to the petitioner. In case the District Revenue Officer is inclined to release the vehicle, appropriate safeguards may be incorporated in case a criminal proceeding is pending in relation to the seizure of PDS rice.

6. W.P.(MD).No.14869 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

To

1.The Senior Regional Manager
cum The District Revenue Officer,
Tamilnadu Civil Supplies Corporation,
Thanjavur Region,
Thanjavur District.

2. The District Revenue Officer,
Thanjavur,
Thanjavur District.

3. The Inspector of Police,
Civil Supplies C.I.D,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-27035[F] dated 24/08/2021)

W.P.(MD).No.14869 of 2021
23.08.2021

PK(CO)

KB(31.08.2021) 2P 5C