



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.16007 of 2021

Manikandan @ Mani

... Petitioner

Vs.

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Civil Supplies Crime Investigation Department,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to release the TATA Ace bearing Registration No.Tn-72-BL-6351 seized by the second respondent on 02.08.2021.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.K.S.Selva ganesan
Counsel for the State

ORDER

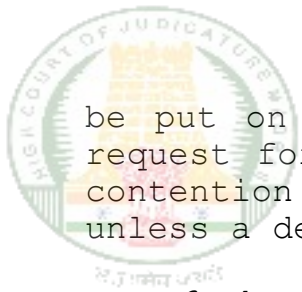
The petitioner seeks the release of a TATA Ace vehicle bearing Registration No.TN-72-BL-6351.

2.The petitioner states that he purchased the above mentioned vehicle through an agreement dated 18.06.2019 from one G.Thangam. The vehicle was seized on 02.08.2021 even before the petitioner could mutate the relevant records of the Transport Department in his favour. The petitioner states that the vehicle was seized on the alleged ground that it was used for the illegal transportation of PDS rice.

3.The petitioner also states that the condition of the vehicle is deteriorating and that the authorities have failed to release the vehicle in spite of submitting a representation on 10.08.2021.

4.Mr.K.S.Selvaganesan, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the first respondent may be directed to consider and dispose of the petitioner's representation on merits and in accordance with law.

5.The documents on record disclose that the registered owner of the vehicle is one G.Thangam. Therefore, the said G.Thangam should



be put on notice before any decision is taken with regard to the request for release of the vehicle. In any event, the petitioner's contention that the condition of the vehicle would deteriorate unless a decision is taken quickly merits consideration.

6. Therefore, without going into the merits of the matter, the first respondent is directed to consider the petitioner's representation dated 10.08.2021 and pass a reasoned order thereon after providing a reasonable opportunity to the petitioner and the registered owner of the vehicle namely G.Thangam. Such reasoned order shall be issued within a period of two months from the date of receipt of a copy of this order. In case the first respondent intends to release the vehicle, appropriate safeguards shall be incorporated so as to not prejudice the pending criminal proceedings.

7. W.P.(MD).No.16007 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)

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,
Tirunelveli.

2. The Inspector of Police,
Civil Supplies Crime Investigation Department,
Tirunelveli.

+1 CC to M/s.GP (SR-28836[F] dated 13/09/2021)

W.P(MD).No.16007 of 2021
08.09.2021

RS (17.09.2021) 2P 4C

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