



WEB COPY

W.P(MD)No.16640 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD)No.16640 of 2021

P.Ramasamy

... Petitioner

-vs-

1.The Assistant Director Geology and Mining,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional officer,
Aruppukottai,
Virudhunagar District.

3.The Inspector of Police,
Thiruchi Police Station,
Virudhunagar District.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to release the petitioner's Lorry bearing Registration No.TN 67 BW 5636 from the custody of the third respondent, on the basis of petitioner's representation dated 06.09.2021 within a stipulated time may be fixed by this court.

For Petitioner : Mr.S.J.Chakkaravarthy

For Respondents: Mr.P.Thilak Kumar

Additional Government Pleader

O R D E R

(Order of the Court was made by V.BHARATHIDASAN,J.)

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to release the petitioner's Lorry bearing Registration No.TN 67 BW 5636 from the custody of the third respondent, within the time limit that may be stipulated by this Court.

2. The grievance of the petitioner is that his lorry bearing Registration No.TN 67 BW 5636 was seized by the third respondent for the illegal transportation of 'Udaikal' broken stone. Hence, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned

<https://hcservices.ecourts.gov.in/hcservices/>



Additional Government Pleader appearing for the respondents.

4. If the vehicle is seized for the illegal transportation of broken stone, the remedy is before the concerned Special Court seeking return of vehicle, and the petitioner cannot maintain the writ petition before this Court, without resorting such remedy. Hence, the Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the concerned Special Court by filing necessary application seeking return of vehicle, and on filing such application, the Special Court is directed to consider the same and pass orders, on merit, as expeditiously as possible. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

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 Assistant Director Geology and Mining,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional officer,
Aruppukottai,
Virudhunagar District.

3.The Inspector of Police,
Thiruchi Police Station,
Virudhunagar District.

+1 CC to M/s.S.J.CHAKKKARAVARTHY, Advocate (SR-29404[F] dated 17/09/2021)

+1 CC to M/s.SPL. GP (SR-29446[F] dated 17/09/2021)

W.P. (MD) No.16640 of 2021

16.09.2021