



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.09.2021
CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY
W.P(MD).No.17587 of 2021

WEB COPY

T.Vijila

... Petitioner

Vs.

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

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

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to release the petitioner's Hyundai Eon Car bearing registration No.TN-14-J-5251, seized by the second respondent police, by considering the petitioner's representation dated on 22.09.2021, within a time stipulated by this Court.

For Petitioner	: Mr.G.Sakthirao
For Respondents	: Mr.K.S.Selva Ganesan Counsel for State

ORDER

The petitioner seeks the release of a Hyundai Eon car bearing registration No.TN-14-J-5251.

2.The petitioner states that he is the registered owner of the above mentioned vehicle. On 30.08.2021, it is stated that such vehicle was seized on the allegation that it was used for the unlawful transportation of PDS rice. It is stated that a case was registered in Crime No.179 of 2021 in such regard.

3.The petitioner states that the vehicle is exposed to sun and rain and that the condition thereof is continually deteriorating. In addition, it is stated that the petitioner is suffering due to the pandemic situation.

4.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts

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



notice for both the respondents. He submits that the first respondent may be directed to consider and dispose of the petitioner's representation within a reasonable time frame.

5.The documents on record indicate that the petitioner is the registered owner of the vehicle. However, material facts relating to the quantity and value of the seized PDS commodities are not on record. Therefore, a positive direction for the release of the vehicle cannot be issued. Nevertheless, the petitioner's contention that the condition of the vehicle is continually deteriorating merits attention.

6.Therefore, without entering any findings on the merits of the matter, the first respondent is directed to consider the petitioner's representation dated 22.09.2021 and dispose of the same within a period of thirty (30) days from the date of receipt of a copy of this order by way of a reasoned order. In case the first respondent is inclined to direct the release of the vehicle, appropriate safeguards shall be incorporated in the order so as to not prejudice the pending criminal proceedings.

7.W.P.(MD).No.17587 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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,
Tirunelveli District.

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

+1 CC to M/s.SPL.GP (SR-31027[F] dated 04/10/2021)

W.P(MD).No.17587 of 2021
30.09.2021

RD(12.10.2021) 2P 4C

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