



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.19527 of 2020

R.Senguttuvan

... Petitioner

-Vs-

1.The District Collector,
Theni, Theni District.

2.The District Revenue Officer,
Theni District, Theni.

3.The Revenue Divisional Officer,
Uthamapalayam Taluk, Theni District.

4.The Inspector of Police,
Civil Supply CID, (Food Cell),
Uthamapalayam Taluk, Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the fourth respondent to release the petitioner's Pickup Mahindra Max bearing registration No.TN-59-T-3183 on the basis of the petitioner's representation dated 16.12.2020, within a stipulated time frame fixed by this Court.

For Petitioner : Mr.L.Prabakaran
For Respondents : Mr.S.Angappan,
Government Advocate.

ORDER

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner claims to be the owner of the petition mentioned vehicle. It was seized in connection with the petition mentioned crime number. The petitioner's counsel states that till date the vehicle in question has not been produced before the jurisdictional court.

3.It has been held time and again that keeping the vehicle in the custody of the respondents is not going to serve any purpose. On the other hand, it will contribute to loss of value. Even though



d) The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle. If the petitioner concerned is an agreement holder and the R.C book is with the financier, he or she can be permitted to produce the photocopies of the relevant documents and if the vehicle is a new one, sales invoice can be produced.

e) As and when the respondents call for the vehicle for enquiry, the petitioner has to produce the vehicle in question and shall cooperate with the enquiry to be conducted by the respondents.

7. After completion of the aforesaid formalities, the respondents shall release the petition mentioned vehicle forthwith without any delay. If the undertaking given by the petitioner is breached, the petitioner will not be entitled to interim release of the vehicle in future and the order passed by this Court will stand recalled and the vehicle in question will be taken back to custody and it will be released only after getting orders from this Court on such terms as this Court may deem it fit to impose.

8. The Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Collector,
Theni, Theni District.

2. The District Revenue Officer,
Theni District, Theni.



3.The Revenue Divisional Officer,
Uthamapalayam Taluk, Theni District.

4.The Inspector of Police,
Civil Supply CID, (Food Cell),
Uthamapalayam Taluk, Theni District.

Copy to:

- 1.The Superintendent, Government Observation Home,
No.164, Kamarajar Salai, Madurai - 625 009.
 - 2.The Registrar (Administration),
Madurai Bench of the Madras High Court, Madurai.
 - 3.The Chairman, Juvenile Justice Board, Madurai.
- +1 CC to M/s.GP (SR-106[F] dated 05/01/2021)

W.P.(MD)No.19527 of 2020
04.01.2021

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mj (CO)
TR(11.01.2021) 4P 9C