



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD).No.19151 of 2021

V.Navaneetha Krishnan

... Petitioner

Vs.

1.The District Revenue Officer,
District Collectorate Office,
Thanjavur District, Thanjavur.

2.The Inspector of Police,
CSCID, Thanjavur,
Thanjavur District.
(Crime No.444/2014)

...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 Mahindra Bolero Maxi Truck Plus 2-WD BSIII (Mini Tempo) bearing Registration No.TN-49-BB-3484 bearing Chassis No.MA1ZP2TAKE2E69941 and bearing Engine No.TAE4E76833 seized on 13.12.2014 and keeping under the custody of the first respondent by considering his representation dated 05.10.2021.

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

ORDER

The petitioner seeks release of the Mahindra Bolero Maxi Truck Plus 2-WD BSIII (Mini Tempo) vehicle bearing Registration No.TN-49-BB-3484.

2.The petitioner states that he is the registered owner of the aforesaid vehicle and that the said vehicle was seized on 13.12.2014 on the alleged ground of transportation of PDS rice illegally. It is also stated that a F.I.R. was registered in Crime No.444 of 2014. The petitioner states that the condition of the vehicle would deteriorate unless it is released quickly and that the petitioner's livelihood has been badly impacted by the retention of the vehicle by the authorities.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the District Revenue Officer may be directed to consider and dispose of the petitioner's representation on merits within a reasonable time frame.



4.The documents on record disclose that the petitioner is the registered owner of the vehicle. It is also clear that a F.I.R. was registered in connection with the alleged transportation of PDS rice. The status of such investigation, the quantum and value of such PDS rice and related factors are not available on record. Therefore, a mandamus to release the vehicle cannot be issued. Nevertheless, the petitioner's contention that the condition of the vehicle would deteriorate unless urgent orders are passed cannot be disregarded.

5.Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 05.10.2021 and pass a reasoned order thereon within a period of thirty (30) days from the date of receipt of a copy of this order. In case the first respondent is inclined to release the vehicle, appropriate safeguards may be incorporated in the order so as not to prejudice the pending criminal proceedings.

6.W.P.(MD).No.19151 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)

sjj

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,
District Collector Office,
Thanjavur District, Thanjavur.

2.The Inspector of Police,
CSCID, Thanjavur,
Thanjavur District.

+1 CC to M/s.SPL.GP (SR-32866[F] dated 27/10/2021)

W.P(MD) .No.19151 of 2021
26.10.2021

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