



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 15.12.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P. (MD) No.22214 of 2021**

Karunsivan

... Petitioner

vs.

1.The District Supply Officer,  
Collectorate Complex,  
Tenkasi District.

2.The Inspector of Police,  
Civil Supplies C.S.I.D.,  
Tirunelveli Unit,  
Madurai District.  
(Crime No.255 of 2021)

3.The District Revenue Officer,  
Tenkasi, Tenkasi District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents herein to forthwith to release the petitioner's MARUTHI EECO bearing Registration No.TN-76-K-2109 from their custody on the basis of the petitioner's representation dated 04.12.2021.

For Petitioner : Mr.C.Susikumar

For Respondents : Mr.S.Shanmugavel

Additional Government Pleader

**O R D E R**

Mr.S.Shanmugavel, learned Additional Government Pleader, takes notice on behalf of all the respondents.

2.The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction to the respondents to release the petitioner's vehicle, namely, MARUTHI EECO bearing Registration No.TN-76-K-2109, which had been seized, owing to transportation of 840 kgs of PDS rice packed on 21 plastic sacks. This fact has come to light owing to the information given by the learned Additional Government Pleader, who had passed on the details regarding the case, which has been registered against the petitioner.

3.It is claimed that the petitioner has transported such rice without any permit and in this case, crime No.255 of 2021 had been registered against the petitioner for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDSCS) Order, 1982 and 7(1)(a)(ii) of Essential Commodities Act, 1955 on 14.11.2021.



Since the investigation is pending, it is only appropriate that the petitioner approaches the investigating officer for necessary relief and this Court cannot give any such direction.

4.The learned counsel for the petitioner placed reliance on the order passed by this Court in ***W.P. (MD) No.20947 of 2021*** [Lakshmanan Vs. The District Supply Officer, Collectorate Complex, Tirunelveli, Tirunelveli District], wherein, the only order passed was to consider the representation given by the petitioner. In the present case, a criminal case has been registered against the petitioner and it is incumbent on the part of the respondents to examine further the circumstances relating to the petitioner herein.

5.Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AD II)

// 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 Supply Officer,  
Collectorate Complex,  
Tenkasi District.
- 2.The Inspector of Police,  
Civil Supplies C.S.I.D.,  
Tirunelveli Unit,  
Madurai District.
- 3.The District Revenue Officer,  
Tenkasi, Tenkasi District.

+1 CC to M/s.SPL GP ( SR-39033[F] dated 16/12/2021 )

W.P.(MD) No.22214 of 2021  
15.12.2021

MGJ(22.12.2021) 2P 5C

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