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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **19.12.2022**

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 787 of 2022

T.Ramakrishnan

... Petitioner

..Vs..

The District Revenue Officer
The Office District Revenue Officer
Collectorate Complex
Thiruvallur – 602 001.

... Respondent

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondent herein to consider the petitioner's representation dated 25.11.2021 and consequently directing the respondent to release the tanker lorry bearing Registration No. TN05AR2664, which is handed over by the Inspector of Police, CSCID Unit, Tiruvallur and the same was seized by them in Crime No. 199 of 2020 to office of the respondent for confiscation proceedings and to pass order on his representation in accordance with law.

For Petitioner

:: Mr. M.Ganesh

For Respondent

:: Mr. M.Muthusamy
Government Advocate



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ORDER

A Tanker lorry of the petitioner herein bearing Registration No. TN05AR2664 was seized by the Inspector of Police, CSCID, Tiruvallur and FIR in Crime No. 199 of 2020 had been registered against the petitioner herein.

2. It is alleged that the petitioner was transporting furnace oil in the said Tanker lorry.

3. The issue to be examined is whether furnace oil which was found in the Tanker lorry of the petitioner can be categorised as essential commodity or not. This is an issue on fact and I would direct the respondent to conduct necessary enquiry with the petitioner. The petitioner may appear in the office of the respondent on 03.01.2023 between 11.00 a.m., and 01.00 p.m., and produce the status report filed before this Court wherein it is stated that furnace oil is not an essential commodity and also give additional material if any that furnace oil is not essential commodity. If the respondent is satisfied that furnace oil is not an essential commodity, then the petitioner lorry may be released by the respondent herein.



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4. Let the respondent proceed in manner known to law and take a decision after the petitioner appears on 03.01.2023. Such decision should be taken on or before 10.01.2023.

5. With the above said observation, the Writ Petition stands disposed of. No costs.

19.12.2022

vsg
Index: Yes/No
Internet: Yes/No
Speaking / Non Speaking Order
To

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The Office District Revenue Officer
Collectorate Complex
Thiruvallur – 602 001.



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C.V.KARTHIKEYAN, J.,

vsg

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