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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.1276 OF 2022

S.Sandana Kumar

... Petitioner

Vs.

1. The District Revenue Officer,  
Salem,  
Salem District.

2. The Inspector of Police,  
Civil Supplies C.I.D.,  
Salem.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to release the Mahindra Maxximo Mini Van Vehicle bearing Registration No.TN30AK5326 seized by the second respondent on 01.12.2021 and consequently thereby direct the first respondent to herein to consider the petitioner representation dated 29.12.2021 in accordance with law.

For Petitioner : Mr.S.Senthilvel

For Respondents : Mr.P.Gurunathan  
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to release the Mahindra Maxximo Mini Van Vehicle bearing Registration No.TN30AK5326 seized by the second respondent on 01.12.2021 by considering the petitioner's representation dated 29.12.2021.



2.The case of the petitioner is that the petitioner's vehicle namely, Mahindra Maxximo Mini Van bearing Registration No.TN30AK5326 was seized by the second respondent on 01.12.2021 on the allegation that it was involved in illegal transportation of PDS wheat. The petitioner made representation to the first respondent seeking to release his vehicle and since the same has not yet been considered, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner, without prejudice to his rights and contentions, is ready to deposit a sum of Rs.75,000/- before the first respondent and on such deposit being made, the first respondent may be directed to release the vehicle.

4.The learned Additional Government Pleader appearing for the respondents raise no serious objection.

5.Admittedly, the petitioner's vehicle was seized on the premise that it was allegedly involved in illegal transportation of PDS wheat. Keeping the vehicle idle will no longer serve any purpose. Hence, this Court issues direction to release the petitioner's vehicle namely, Mahindra Maxximo Mini Van bearing Registration No.TN30AK5326, on the following conditions:

(i)The petitioner, without prejudice to his rights and contentions shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) before the first respondent within a period of two weeks from the date of receipt of a copy of this order;

(ii)The petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification of the Authority;

(iii)On receipt of payment as stated supra and also on being satisfied with the ownership of the vehicle, the first respondent shall release the subject vehicle, within a period of one week from the date of deposit;

(iv)The petitioner shall not use the said vehicle for any unlawful purpose and also shall not alienate the same during the pendency of the proceedings;

(v)It is open to the respondent to initiate proceedings in accordance with law and pass appropriate orders on merits, as expeditiously as possible.



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6. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,  
Salem,  
Salem District.
2. The Inspector of Police,  
Civil Supplies C.I.D.,  
Salem.

+1cc to M/s.S.Senthil Vel, Advocate, S.R.No.6102

+1cc to the Government Pleader, S.R.No.6485

W.P.No.1276 of 2022

PL(CO)

RLP(10/02/2022)