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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH  
W.P. No.6102 of 2022

Govindaraj

.... Petitioner

Vs.

1. The District Revenue Officer,  
District Collectorate  
Krishnagiri District.

2. The Inspector of Police,  
CSCID Police Station,  
Krishnagiri District  
(Crime No.191/2021).

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus, directing the respondents to release the petitioner's Bolero pickup in bearing Registration No.TN24Q5088 forthwith which was seized by the 2<sup>nd</sup> respondent in crime No.191 of 2021 on 23.12.2021 keeping under the custody of 1<sup>st</sup> respondent by considering the petitioner's representation dated 21.02.2022

|                 |   |                                       |
|-----------------|---|---------------------------------------|
| For Petitioner  | : | Mr.M.Jayachandran                     |
| For Respondents | : | Mr.Jayaprakash<br>Government Advocate |

#### O R D E R

Mr.Jayaprakash accepts notice for the respondents and is armed with adequate instructions to enable a final disposal of the matter even at the stage of admission. Hence, at request of both Mr.Jayachandran, learned counsel for the petitioner and Mr.Jayaprakash, learned Government Advocate final orders are passed even at this juncture.

2. The prayer of the petitioner is for mandamus directing the respondents to release the petitioner's Bolero pickup bearing Registration No.TN24Q5088 (vehicle in question) forthwith which was seized by the 2<sup>nd</sup> respondent/inspector of police in crime No.191 of 2021 on 23.12.2021.

3. The vehicle was seized on 23.12.2021 and found carrying 1753 Kgs bags of rice earmarked for public distribution. A



criminal case has been registered against the petitioner. The petitioner has made a representation before R1/District Revenue Officer on 21.02.2022 seeking release of the vehicle to no avail. Hence, the present writ petition.

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4. In the interests of consistency, the order passed in similar matters is passed in this matter as well. A direction is issued to the DRO to consider the representation of the petitioner, impose appropriate penalty upon him for the derelictions, as noticed aforesaid, and release the vehicle on terms.

5. The respondents would submit that the procedure being followed in this regard is a reference of the vehicle to the concerned Regional Transport Authority for assessment. Upon receipt of an assessment from the RTO, penalty is imposed as a percentage of the amount assessed and the vehicle released thereafter on proper terms.

6. Let the same procedure be followed in the present case as well and the direction issued as aforesaid be complied with, within a period of four weeks from today, after hearing the petitioner.

7. This writ petition is disposed in the above terms. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

nst/ska

1. The District Revenue Officer,  
District Collectorate  
Krishnagiri District.

2. The Inspector of Police,  
CSCID Police Station,  
Krishnagiri District

+1cc to Mr.M.Jayachandran, Advocate, S.R.No.18229

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GSM(CO)

KM(21/03/2022)