



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. No.9297 of 2022

P.Srinivasan

...Petitioner

Vs.

1.The District Revenue Officer,
District Collector Office,
Thirupathur,Thirupathur District.

2.The Inspector of Police,
CSCID,Vellore.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to release the petitioner's vehicle APE PASSENGER Auto bearing Engine No.R7D2871982, Chassis Number.MBX0003BFVE453808 Registration No.Tn-83-T-0856 seized by the 2nd respondent herein by considering the petitioner's representation dated 01.02.2022.

For Petitioner : Mr.Swami Subramanian

For Respondents : Mr.E.Sundaram

Government Advocate

O R D E R

Mr.E.Sundaram, learned Government Advocate accepts notice for the respondents and is armed with instructions to proceed with the matter finally even at this juncture. Hence, by consent of both learned counsel, this Writ Petition is disposed finally even at the stage of admission.

2.The petitioner seeks a mandamus directing the 1st respondent/District Revenue Officer, Thirupathur to release the petitioner's vehicle APE passenger Auto bearing Engine No.R7D2871982, Chassis No.MBX0003BFVE453808 Registration No.TN-83-T-0856 that was seized by the 2nd respondent/Inspector of



Police on 24.12.2021 for transporting 7 bags (50 kgs each) of PDS rice.

3.It is the petitioner's claim that he had hired the vehicle out to one Vadivelu, who had perhaps engaged in the aforesaid illegal act. In any event, a case in Crime No.301 of 2021 has come to be registered on the file of R2 for the alleged offences under Section 6(4) of TN Schedule Commodities (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955.

4.The petitioner disavows the illegal activities in connection with which the vehicle has been seized and has made a representation on 01.02.2022 before R1 for release of vehicle. Owing to the inaction on the part of the respondent, the present Writ Petition has been filed.

5.The procedure stipulated for release of vehicle is that the Regional Transport Officer (RTO) is to assess the vehicle and thereafter, based upon such assessment, the owner of the vehicle be put to terms for release of the vehicle.

6.In light of the same, let the vehicle be referred to the concerned RTO for assessment, based upon which, the representation of the petitioner dated 01.02.2022 be disposed by R1 imposing appropriate terms, after hearing the petitioner and within a period of eight (8) weeks from today.

7. This Writ Petition is disposed as above. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,
District Collector Office,
Thirupathur, Thirupathur District.

2. The Inspector of Police,
CSCID, Vellore.

+1cc to M/s.Swami Subramaniam, Advocate, S.R.No.26662

+1cc to the Government Pleader, S.R.No.26746

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SSN(CO)

RGA(02/05/2022)