



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.05.2022

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.12353 OF 2022

K.Arumugam

.. Petitioner

Versus

1. The District Revenue Officer
District Revenue Office
Thiruvannamalai
Thiruvannamalai District
2. The District Civil Supply Officer
Thiruvannamalai
Thiruvannamalai District
3. The Inspector of Police
Civil Supply Crime Investigation Department
Thiruvannamalai
Thiruvannamalai District

.. Respondents

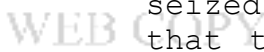
Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 18.03.2022 and consequently direct the 2nd respondent to return Maruthi Suzuki Pick Up Truck bearing registration No.TN-25-BH-4300 seized by the third respondent on 09.02.2022 to the petitioner herein.

For Petitioner : Mr.D.Rajasekaran

For Respondents : Mrs.Anitha for R1 & R2
Special Government Pleader

O R D E R

The present writ petition has been filed seeking a direction to the respondents to release the petitioner's Maruthi Suzuki Pick Up Truck bearing registration No.TN-25-BH-4300 seized by the third respondent, to him.



3. It is seen from the records that the subject vehicle was seized by the third respondent on 09.02.2022 on the allegation that the said vehicle indulged in transporting rice illegally. Such contentions made by the petitioner cannot be examined by this Court, as it is for the Adjudicating Authority to consider and decide. However, considering the fact that the vehicle was seized as early as on 09.02.2022 and the same is kept idle thereby exposing it to sun and rain, which undoubtedly would diminish its value, this Court is of the view that the following order will protect the interest of both parties:

(b) The petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification of the authority.

(d) 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.

(f) If no such order is passed within the time stipulated therein, the amount so paid by the petitioner shall be refunded to the petitioner.

(g) This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of criminal Court. If the vehicle is in the custody of the criminal Court, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate



application and the same can be considered in accordance with law.

4. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

dhk

To

1. The District Revenue Officer
District Revenue Office
Thiruvannamalai
Thiruvannamalai District
2. The District Civil Supply Officer
Thiruvannamalai
Thiruvannamalai District
3. The Inspector of Police
Civil Supply Crime Investigation Department
Thiruvannamalai
Thiruvannamalai District.

+1cc to Mr.D.Rajasekaran, Advocate, S.R.No.31168

W.P.No.12353 of 2022

JPL (CO)
RLP (17/05/2022)