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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14001 of 2022

E.Basheer

... Petitioner

Vs

1.The District Revenue Officer,
Coimbatore,
Coimbatore District.

2.The State rep by its
The Inspector of Police,
Civil Supply - CID - Pollachi,
Coimbatore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to release the petitioner's Lorry bearing Registration No.TN 99 Q 5740 seized by the second respondent on 22.04.2022 based on the petitioner's representation dated 10.05.2022.

For Petitioner : Mr.W.Camyles Gandhi

For R1 & R2 : Mr.P.Sathish

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the first respondent on 10.05.2022 to release the petitioner's Lorry bearing Registration No.TN 99 Q 5740, seized by the second respondent on 22.04.2022. Since the said representation was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory



Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

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4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 10.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

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

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

mst

To

1. The District Revenue Officer,
Coimbatore,
Coimbatore District.
2. The Inspector of Police,
Civil Supply - CID - Pollachi,
Coimbatore District.

+1cc to Mr.W.Camyles Gandhi, Advocate, S.R.No.32112

W.P.No.14001 of 2022

RR(CO)
CT/17/06/2022