



WEB COPY



W.P.Nos.32748 & 32751 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.Nos.32748 & 32751 of 2022

Nethaji ... Petitioner in W.P.No.32748 of 2022

Melpatti Gowri ... Petitioner in W.P.No.32751 of 2022

Vs.

1. The District Supply Officer,
Civil Supply Department,
Collector Office Campus,
Thiruvallur

2. The Taluk Supply Officer,
Civil Supply Department,
Collector Office Campus,
Thiruvallur.

3. The Inspector,
Civil Supplies Crime Investigation Department,
Thiruvallur.

...Respondents

PRAYER in W.P.No.32748 of 2022: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 2nd respondent to release the vehicle bearing Reg.No.TN-57 H 9864 chassis No.374415LV2941631, Engine No.497SP27LVZ943654 forthwith which was seized by the 1st respondent in Crime No.208 of 2022 dated 23.07.2022.



W.P.Nos.32748 & 32751 of 2022

PRAYER in W.P.No.32751 of 2022: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 2nd respondent to release the vehicle bearing Reg.No.TN 07 AY 2129, Chassis No.357124 LWZ818981, Engine No.49SPTC31LWZ919480 forthwith which was seized by the 2nd respondent in Crime No.208 of 2022 dated 17.11.2022.

For Petitioners : Mr.M.Sankar

For Respondents : Mr.S.Santhosh

Government Advocate (Crl.Side)

COMMON ORDER

These Writ Petitions have been filed seeking direction to the 2nd respondent to release the vehicle bearing Reg.No.TN-57 H 9864 chassis No.374415LV2941631, Engine No.497SP27LVZ943654 and the vehicle bearing Reg.No.TN 07 AY 2129, Chassis No.357124 LWZ818981, Engine No.49SPTC31LWZ919480 in respect of Crime No.208 of 2022.

2. The learned counsel for the petitioners submitted that the vehicles are now under the custody of the District Supply Officer concerned and so far, no confiscation proceedings have been initiated and if the vehicles are allowed to remain in open space, it will go waste due to exposure of rain or sun



W.P.Nos.32748 & 32751 of 2022

3. In response, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that the confiscation proceedings would be initiated soon and the petitioners should approach the authority concerned for relief provided **under Section 6A of the Essential Commodities Act, 1955**. The said provision contemplates that the owner shall be given an option to pay, in lieu of confiscation, a fine amount.

5. In view of the specific provision and remedy available to the owner of the vehicle, this Court directs the petitioners to approach the District Supply Officer, Tiruvallur with proper applications. If such applications are filed, the District Supply Officer is directed to dispose of the same, on merits and in accordance with law, within a period of two weeks from the date of receipt of the application.

5. With the above direction, these Writ Petitions are disposed of. No costs.

06.12.2022

Index :Yes/No
Internet:Yes/No
Sma



W.P.Nos.32748 & 32751 of 2022

WEB COPY

1. The District Supply Officer,
Civil Supply Department,
Collector Office Campus,
Thiruvallur
2. The Taluk Supply Officer,
Civil Supply Department,
Collector Office Campus,
Thiruvallur.
3. The Inspector,
Civil Supplies Crime Investigation Department,
Thiruvallur.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



W.P.Nos.32748 & 32751 of 2022

G.CHANDRASEKHARAN, J.

Sma

W.P.Nos.32748 & 32751 of 2022

06.12.2022