



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.3677 of 2022

Seeni Syed Abthahir

... Petitioner

/vs./

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Prohibition Excise and Department,
Ramanathapuram District.

3.The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.

... Respondents

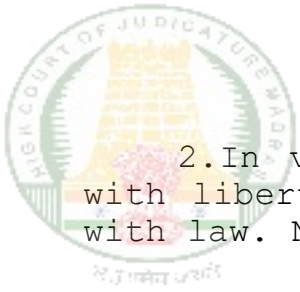
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to release Maruthi Omni E MPI STD BS IV registration bearing No. TN 65 S 1383 and within a time stipulated by this Court.

For Petitioner : Mr.J.Vishnu
For Respondents : Mr.K.S.Selva Ganesh
Additional Government Pleader

ORDER

There is no merits in the present writ petition, as the petitioner has an alternate remedy under the provisions of the Tamil Nadu Prohibition Act, 1937 r/w Section 457 of the Code of Civil Procedure. In this connection, already an order has been passed by this Court in W.P.(MD) No.2796 of 2022, vide order dated 11.02.2022. The relevant portion of the said order reads as under:-

"15.Considering the fact that confiscation order dated 11.12.2021 is non est and not binding on the petitioner, this Court gives liberty to the petitioner to work out his remedy in terms of Section 51 read with Section 53 of the TNP Act and the provisions of the Code of Criminal Procedure as made applicable to the proceedings under the TNP Act. If the petitioner files an appropriate application in terms of the above provision of the TNP Act, the authority concerned shall consider the petitioner's application and dispose it in accordance with law."



2.In view of the above, the writ petition stands disposed of with liberty to the petitioner to workout the remedy in accordance with law. No costs.

Sd/-

Assistant Registrar(AS)

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/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
- 2.The Deputy Superintendent of Police,
Prohibition Excise and Department,
Ramanathapuram District.
- 3.The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-9179[F] dated 01/03/2022)

W.P. (MD) No.3677 of 2022
28.02.2022

ims(CO)

TR(17.03.2022) 2P 5C