



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6087 of 2022

and

W.M.P. (MD) .No.4740 of 2022

Ayyappan

...Petitioner

Vs.

1.The District Collector and District Magistrate,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi.

3.The Inspector of Police,
CSCID,
Thoothukudi,
In Crime No.40 of 2021.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the second respondent in ந.க.உ.பொ.1/33437/2021 dated 18.03.2022 in regard with confiscation of Ashok Leyland Taurus Lorry bearing Registration No.TN 54 D 1492 belongs to this petitioner in connection with Crime No.40/2021 on the file of the third respondent and quash the same.

For Petitioner	:	Mr.J.William Christopher
For Respondents	:	Mr.M.Lingadurai, Special Government Pleader.

ORDER

This Writ Petition has been filed challenging the notice dated 18.03.2022 alleged to have been passed under Section 6-A of the Essential Commodities Act.

2. Under the impugned communication, the second respondent has advised the petitioner to pay Rs.1,49,000/- being the market value of the vehicle or else the vehicle will be sold in public auction. The petitioner has filed this Writ Petition on the apprehension that proceedings under the Essential Commodities Act have already been initiated.

3. However, the learned Special Government Pleader appearing for the respondents, today, submits that till date, no proceedings have been initiated against the petitioner under the Essential Commodities Act. He would also submit that only by following the



procedure established under law, and only after giving notice to the petitioner, proceedings under the Essential Commodities Act will be initiated by the respondents. Therefore, the apprehension raised by the petitioner in this Writ Petition is uncalled for.

4. Learned counsel for the petitioner seeks for quashing of the impugned communication. No prejudice would be caused to the respondents, if the impugned communication is quashed, as till date, no proceedings have been initiated by the respondents against the petitioner under the Essential Commodities Act with regard to the confiscation of his vehicle.

5. For the foregoing reasons, the impugned communication dated 18.03.2022 passed by the second respondent is hereby quashed and the Writ Petition is disposed of in the above terms. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

04/05/2022

Sub Assistant Registrar(CS)

Lm

To

1.The District Collector and District Magistrate,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi.

3.The Inspector of Police,
CSCID,
Thoothukudi.

+1 CC to M/s.J.WILLIAM CHRISTOPHER, Advocate (SR-20836[F] dated 25/04/2022)

+1 CC to M/s.SPL.GP. (SR-21161[F] dated 26/04/2022)

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SG(CO)

KB(05.05.2022) 2P 6C