



WEB COPY

W.P(MD)No.13112 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MRS.JUSTICE S.SSRIMATHY**

W.P(MD)No.13112 of 2022

Durai

... Petitioner

Vs.

1.The Assistant Director,
Mines and Minerals Department,
Pudukottai District.

2.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

3.The Inspector of Police,
Karaiyur Police Station,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to release the petitioner's Ashok Layland Tipper Lorry bearing its registration No.TN-28-AH-8242 forthwith in connection with the case in Cr.No.78 of 2022 on the file of the third respondent by considering the petitioner's representation, dated 13.05.2022.

For Petitioner :Mr.M.Pitchai Muthu
For R1 to R3 :Mr.S.P.Maharajan
Special Government Pleader

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This Writ Petition is filed for issuance of a Writ Petition to direct the respondents to release the petitioner's Ashok Layland Tipper Lorry bearing its registration No.TN-28-AH-8242 forthwith in connection with the case in Cr.No.78 of 2022 on the file of the third respondent by considering the petitioner's representation, dated 13.05.2022.

2.Heard Mr.M.Pitchai Muthu, learned Counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice on behalf of respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

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3.Earlier the Division Bench of this Court has held that the Writ Petition is not maintainable for release of vehicle and the petitioner should approach the Special Court. The learned Counsel for the petitioner conceded that he may be permitted to move the Special Court and to file an application for release of his vehicle. The learned Counsel for the petitioner further submitted that the Special Court in Pudukottai is not functioning and the learned Principal District Judge, Pudukottai, is in-charge of hearing the matters, which are to be posted before the Special Court.

4.In view of the above, this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the Principal District Court, Pudukottai for release of his vehicle. If such an application is filed, the learned Principal District Judge, Pudukottai, is directed to consider the same and pass appropriate orders within a period of two weeks from the date of filing of such application. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

cmr

To

- 1.The Assistant Director,
Mines and Minerals Department,
Pudukottai District.
- 2.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.
- 3.The Inspector of Police,
Karaiyur Police Station, Pudukottai District.

COPY TO:-

The Principal District Judge,
Pudukottai.

+1 CC to M/s.SPL.GP (SR-28506[F] dated 28/06/2022)

W.P(MD)No.13112 of 2022

24.06.2022

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