



W.P.(MD)No.15301 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2022

CORAM

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.15301 of 2022

K.Muthuragavan

... Petitioner

Vs.

1.The Assistant Director of Geology and Mining,
Tenkasi at Tirunelveli.

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

3.The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District (Crime No.247 of 2022) ... 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 Tipper Lorry bearing Registration Number TN-74-AD-0378, which was seized by the third respondent on 11.06.2022.

For Petitioner :Mr.R.J.Karthick

For R1 to R3 :Mr.S.P.Maharajan

Special Government Pleader



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ORDER

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

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to release the petitioner's Tipper Lorry bearing Registration Number TN-74-AD-0378, which was seized by the third respondent on 11.06.2022.

2.Heard Mr.R.J.Karthick, 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.

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 Tenkasi is not functioning and the learned Principal District Judge, Tirunelveli, is in-charge of hearing the matters, which are to be posted before the Special Court.



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4. In view of the above, this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the Principal District Court, Tirunelveli, for release of his vehicle. If such an application is filed, the learned Principal District Judge, Tirunelveli, 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.

[S.S.S.R., J.] [S.S.Y., J.]
14.07.2022

Index : Yes / No

cmr

To

1. The Assistant Director of Geology and Mining,
Tenkasi at Tirunelveli.
2. The Revenue Divisional Officer,
Tenkasi, Tenkasi District.
3. The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
4. The Principal District Judge, Tirunelveli.



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