



W.P.(MD)No.14158 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2022

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

W.P.(MD)No.14158 of 2022

Basheer Ali

... Petitioner

Vs.

- 1.The Revenue Divisional Officer,
Ramanathapuram Revenue Division,
Ramanathapuram District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
- 3.The Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to release the petitioner's Tipper Lorry bearing registration No.TN.65-AC-3566 by considering his representation, dated 21.06.2022 within a time stipulated by this Court.

For Petitioner :Mr.C.Gangai Amaran

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 herein to release the petitioner's Tipper Lorry bearing registration No.TN.65-AC-3566 by considering his representation, dated 21.06.2022 within a time stipulated by this Court.

2.Heard Mr.C.Gangai Amaran, 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 the petitioner 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 Ramanathapuram is not functioning and the learned Principal District Judge, Ramanathapuram, is in-charge of hearing the matters,



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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, Ramanathapuram for release of his vehicle. If such an application is filed, the learned Principal District Judge, Ramanathapuram, 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.]
05.07.2022

Index : Yes / No

cmr

To

1. The Revenue Divisional Officer,
Ramanathapuram Revenue Division,
Ramanathapuram District.
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Office of the Superintendent of Police,
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3. The Inspector of Police,
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S.S.SUNDAR, J.

and

S.SRIMATHY, J.

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