



W.P.(MD)No.14555 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2022

CORAM

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

W.P(MD)No.14555 of 2022

Ramasamy

... Petitioner

Vs.

1.The Assistant Director,
Geology and Mining Department,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sriengam, Trichy District.

3.The Inspector of Police,
Puthanatham Police Station,
Trichy District,
In Crime No.77 of 2022

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the third respondent to release the petitioner's bullock cart from their custody and to hand over the possession of bullock cart to him.

For Petitioner :Mr.A.Jeol Paul Antony

For R1 to R3 :Mr.T.Amjad Khan,
Government Advocate



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ORDER

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

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Heard Mr.A.Joel Paul Antony, learned Counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate, who takes notice on behalf of respondents.

2. This Writ Petition is filed for issuance of a Writ of Mandamus to direct the third respondent to release the petitioner's bullock cart from their custody and to hand over the possession of bullock cart to him.

3. Earlier, the Division Bench of this Court has held that Writ Petition is not maintainable for release of vehicle and the petitioner should approach the Special Court.

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



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5. In view of the above, this Writ Petition is dismissed.

However, liberty is granted to the petitioner to approach the Principal District Court, Trichy for release of his vehicle. If such an application is filed, the learned Principal District Judge, Trichy, 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.]
07.07.2022

Index : Yes / No

pm

To

- 1.The Principal District Judge,Trichy.
- 2.The Assistant Director,
Geology and Mining Department,
Trichy District, Trichy.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Srirengam, Trichy District.
- 4.The Inspector of Police,
Puthanatham Police Station,
Trichy District,



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S.S.SUNDAR, J.
and
S.SRIMATHY, J.
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