



W.P.(MD)No.14859 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2022

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

W.P.(MD)No.14859 of 2022

P.Gopala Krishnan

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District, Sivagangai.

2.The District Revenue Officer,
Sivagangai, Sivagangai District.

3.The Inspector of Police, Manamadurai Police Station,
Sivagangai 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 vehicle in DAIMILER INDIA COMMERCIAL TIPPER vehicle bearing Registration Number TN-30-BE-0744, based on the petitioner's representation, dated 20.06.2022.

For Petitioner :Mr.K.Chengiz Khan

For Respondents :Mr.N.Satheesh Kumar

Additional 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 has been filed to direct the respondents to release the petitioner's vehicle in DAIMILER INDIA COMMERCIAL TIPPER vehicle bearing Registration Number TN-30-BE-0744, based on the petitioner's representation, dated 20.06.2022.

2.Heard Mr.K.Chengiz Khan, learned Counsel for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader, who takes notice for the 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 Sivagangai is not functioning and the learned Principal District Judge, Sivagangai, 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, Sivagangai for release of his vehicle. If such an application is filed, the learned Principal District Judge, Sivagangai, 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.]
11.07.2022

Index : Yes / No

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To

1. The Superintendent of Police,
Sivagangai District, Sivagangai.
2. The District Revenue Officer,
Sivagangai, Sivagangai District.
3. The Inspector of Police, Manamadurai Police Station,
Sivagangai District.
4. The Principal District Judge, Sivagangai.



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