



W.P.(MD)No.16908 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.07.2022

CORAM

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

W.P(MD)No.16908 of 2022

Rajamani

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicles of Agriculture Tractor & Trailor bearing registration Number TN 57 BK 1729 and JCB Earth Moving Equipment vehicle bearing registration Number TN 51 D 7101 from the custody of the respondents in respect of Crime No.214 of 2022 dated 26.07.2022 to hand over to the petitioner by considering the petitioner's representation dated 27.07.2022 within the time limit that may be stipulated by this Court.

For Petitioner :Mr.S.Sivaprakash

For Respondents :Mr.J.Ashok,
Additional Government Pleader



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ORDER

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

Heard Mr.S.Sivaprakash, learned Counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader, who takes notice on behalf of respondents.

2. This Writ Petition is filed for issuance of a Writ of Mandamus to direct the second respondent to release the petitioner's vehicles of Agriculture Tractor & Trailor bearing registration Number TN 57 BK 1729 and JCB Earth Moving Equipment vehicle bearing registration Number TN 51 D 7101, to the petitioner.

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 vehicles. The learned Counsel for the petitioner further submitted that the Special Court in Dindigul is not functioning and the learned Principal District Judge, Dindigul, is



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in-charge of hearing the matters, which are to be posted before the Special Court.

5. In view of the above, this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the Principal District Court, Dindigul for release of his vehicles. If such an application is filed, the learned Principal District Judge, Dindigul, 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.]
29.07.2022

Index : Yes / No

pm

To

1.The Principal District Judge, Dindigul.

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

3.The Inspector of Police,
Sempatti Police Station,
Dindigul District.



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

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