



W.P.(MD)No.20020 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2022

CORAM

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

W.P(MD)No.20020 of 2022

Vinoth

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

2.The Inspector of Police,
Pannavayal,
Pattukottai Taluk,
Thanjavur 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 Vehicles of TATA 407 bearing registration number TN 27 S 2513 from the custody of the respondents in respect of Crime No.362 of 2022 dated 06.07.2022 to hand over to the petitioner by considering the Petitioner's representation dated 24.08.2022 within the time limit that may be stipulated by this Hon'ble High Court.

For Petitioner

:Mr.S.Sivaprakash

For 1st Respondent

:Mr.J.Ashok
Additional Government Pleader

For 2nd Respondent

:Mr.M.Muthu Manikkam
Government Advocate (Civil side)

* * *



W.P.(MD)No.20020 of 2022

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 Vehicles of TATA 407 bearing registration number TN 27 S 2513 from the custody of the respondents in respect of Crime No.362 of 2022 dated 06.07.2022 and to hand over the same to the petitioner by considering the Petitioner's representation dated 24.08.2022 within a time frame.

2.Heard Mr.S.Sivaprakash, learned Counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader, who takes notice on behalf of first respondent and Mr.M.Muthu Manikkam, learned Government Advocate (Civil side), who takes notice on behalf of the second respondent. 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



W.P.(MD)No.20020 of 2022

for the petitioner further submitted that the Special Court in Thanjavur is not functioning and the learned Principal District Judge, Thanjavur, is in-charge of hearing the matters, which are to be posted before the Special Court.

4.In view of the above, this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the Principal District Court, Thanjavur for release of his vehicle. If such an application is filed, the learned Principal District Judge, Thanjavur, 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.R., J.] [S.S.Y., J.]
26.08.2022

Index : Yes / No

sj

To

- 1.The Principal District Judge,
Thanjavur.
- 2.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 3.The Inspector of Police,
Pannavayal,
Pattukottai Taluk,
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W.P.(MD)No.20020 of 2022

S.S.SUNDAR, J.

and

S.SRIMATHY, J.

sj

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