



W.P(MD)No.27836 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27836 of 2022

A.Chellapandi

... Petitioner

Vs

1.The District Revenue Officer,
Madurai District,
Madurai.

2.The Inspector of Police,
Civil Supplies C.I.D,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to release the TATA Ace bearing registration No.TN-57-AX-6384 seized by the second respondent on 29.10.2022 to the petitioner.

For Petitioner : Mr.T.Dandapani

For Respondents : Mr.A.K.Manickkam
Special Government Pleader for R.1

Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)for R.2



“17.In our view, whatever be the situation, it is of no use to keep such seized vehicles at the police stations for a long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of the said vehicles, if required at any point of time. This can be done pending hearing of applications for return of such vehicles.

6. Therefore, the first respondent is directed to grant interim custody of the said vehicle to the petitioner subject to the following conditions:-

- a) The petitioner shall pay a sum of **Rs.5,000/-** (Rupees Five Thousand only) towards cost in the bank account of **Government Leprosy Home, Y.Pudhupatti, Madurai** (Savings Account No.80080760197, IFSC Code : SBIN0002246 State Bank of India, Othakadai Branch, Madurai). It will be a non-refundable payment. The Trust shall utilise the said amount for the benefits of the inmates of the Home.*
- b) The petitioner shall not alienate or encumber the vehicle till the proceedings are completed.*
- c) The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle.*
- d) As and when the respondents call for the vehicle for enquiry, the petitioner has to produce the vehicle in question and he shall cooperate with the enquiry to be conducted by the respondents.*



W.P(MD)No.27836 of 2022

7. Upon completion of these formalities, the respondents shall grant interim custody of the vehicle forthwith to the petitioner without any delay. If this undertaking given by the petitioner is breached, the petitioner will not be entitled to interim custody of the vehicle in future. The Writ Petition is allowed accordingly. I make it clear that allowing of this writ petition will not have any bearing on the confiscation proceedings that may be initiated by the authorities. No costs.

09.12.2022

Index : Yes / No
Internet : Yes/ No
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Note: Issue Order Copy on 14.12.2022.

To

- 1.The District Revenue Officer,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Civil Supplies C.I.D,
Madurai District.
- 3.Government Leprosy Home,
Y.Pudhupatti,
Madurai.



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W.P(MD)No.27836 of 2022

G.R.SWAMINATHAN, J.

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