



W.P(MD)No.28555 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28555 of 2022

Manimaran

... Petitioner

Vs.

1.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Civil Supplies Crime Investigation Department,
Virudhunagar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to release the TATA Ace bearing Registration No. TN-65-X-2817 seized by the second respondent on 08.12.2022, to the petitioner.

For Petitioner : Mr.J.Kalyani

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R1

: Mr.B.Thanga Aravindh
Government Advocate (Crl.side) for R2



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 number of the Principal District Judge, Dharmapurai (Ac No.30345829704, IFSC Code – SBIN0000832, State Bank of India, Dharmapurai Main Branch). It will be a non-refundable payment. The learned Principal District Judge, Dharmapuri is directed to spend the amount now deposited for enhancing the infrastructure of the courts in Dharmapurai District.*
- 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. If the petitioner is an agreement holder, he can produce the relevant xerox copies.*
- 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.*



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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.

20.12.2022

Index : Yes / No

Internet : Yes/ No

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To

1.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Civil Supplies Crime Investigation Department,
Virudhunagar.

3.The Principal District Judge, Dharmapuri.

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