



W.P.No.1672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.1672 of 2023

L.Hemakumar

... Petitioner

Vs.

1. The District Revenue Officer,
District Revenue Officee,
Tiruvallur,
Tiruvallur District.

2. The Inspector of Police,
Civil Supply C.I.D, Chennai,
Tiruvallur District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the 1st respondent to return the EICHER PRO 2049 B HSD, bearing Registration TN 20 DY 4718 seized by the 2nd respondent on 15.06.2022 to the petitioner and pending investigation in Crime No.171 of 2022 and dispose the same.

For Petitioner : Mr.S.Chandrasekar

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.Side)



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ORDER

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The Writ Petition has been filed to direct the 1st respondent to return the EICHER PRO 2049 B HSD, bearing Registration No.TN 20 DY 4718 seized by the 2nd respondent on 15.06.2022 to the petitioner and pending investigation in Crime No.171 of 2022 and dispose the same.

2.The learned counsel appearing for the petitioner submitted that the vehicle bearing Reg.No. TN 20 DY 4718 was seized in connection with Crime No.171 of 2022, which was kept in custody of the 1st respondent. If the vehicle is exposed to open sun and light, it would go waste. Therefore, the present is filed.

3. The learned Government Advocate (Crl. Side) submitted that confiscation proceedings under Section **6(4) of TNSC (RDCS) ORDER 1982 read with 7(i)a(ii) of Essential Commodities Act, 1955** has been initiated. The process of confiscation of the vehicle is pending and the orders will be passed early.



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4. Section 6(4) of Essential Commodities Act reads as follows:

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The Collector shall whenever it is practicable so to do having regard to the nature of the essential commodity take and preserve sample of the same in the prescribed manner before its sale or distribution.

5. Taking into the consideration of the submission made by the learned Government Advocate (Crl. Side) that confiscation proceedings of the vehicle has been initiated, this Court is not inclined to order return of vehicle.

6. Accordingly, this Writ Petition is disposed of giving liberty to the petitioner to approach the first respondent for appropriate orders.

24.01.2023

Index :Yes/No
Internet:Yes/No
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G.CHANDRASEKHARAN, J.

Sma

To

1. The District Revenue Officer,
District Revenue Officee,
Tiruvallur,
Tiruvallur District.
2. The Inspector of Police,
Civil Supply C.I.D, Chennai,
Tiruvallur District.
3. The Public Prosecutor,
High Court of Madras.

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