



WEB COPY

W.P.No.26844 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26844 of 2013

and

M.P.No.1 of 2013

P.Ramesh Babu

... Petitioner

Vs.

1.The Deputy Commissioner,
Civil Supplies CID Wing (Town) North,
Ezhilagam,
Chennai.

2.State Rep by Inspector of Police,
CSCID Chennai Unit,
Pattravakkam, Ambattur,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 10.09.2013 passed by the 1st respondent vide in Na.Ka.No.3/2667/2013 and to quash the same and consequently direct the 1st respondent to release the vehicle of the petitioner TATA 407 bearing Registration No.TN 69 C 9037 seized in Crime No.101 of 2013 on the file of the 1st respondent.



For Petitioner : No Appearance

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

When the matter was listed for hearing on 08.03.2023, none appeared on behalf of the petitioner. Thus, this Court passed an order, directing the Registry to list the matter on 10.03.2023 under the caption “For Dismissal”.

2. Even today i.e., on 14.03.2023, when the matter is taken up for hearing, none appeared for the petitioner. Thus, this Court is inclined to pass the following orders:

3. The order passed by the Deputy Commissioner, Civil Supplies CID Wing (Town) North is under challenge in the present writ petition.

4. The petitioner seeks further direction to the 1st respondent to release the vehicle that belongs to the petitioner herein bearing registration No.TN 69 C 9037 seized in Crime No.101 of 2013. During the relevant point of time, when the vehicle was seized, a criminal case was registered against the



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petitioner, which was pending. If at all any vehicle has been seized pursuant to the registration of the criminal case, the aggrieved person has to approach the Competent Court of Law under the Code of Criminal Procedure for return of property.

5. No writ against return of property is entertained under Article 226 of the Constitution of India. In the present case, admittedly, a criminal case was registered and the vehicle was seized. Furthermore it is not made clear whether the criminal case is pending or disposed of. Thus, the petitioner is at liberty to redress his grievance in the manner known to law.

With these observations, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

14.03.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

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1.The Deputy Commissioner,
Civil Supplies CID Wing (Town) North,
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Chennai.

2.The Inspector of Police,
State
CSCID Chennai Unit,
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S.M.SUBRAMANIAM, J.

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