



W.P.No.7974 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 7974 of 2023

Dhesingu

... Petitioner

Vs.

1. The District Revenue Officer,
District Revenue office,
Thiruvannamalai,
Thiruvannamalai District.

2. The Inspector of Police,
Civil Supply, CID,
Thiruvannamalai,
Thiruvannamalai 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 return the Ashok Leyland Dost RLS Open bearing Registration No.TN 97 C 2445 seized by the second respondent on 22.02.2023 to the petitioner herein.

For Petitioner : Mr.E.Kannadasan

For Respondents : Mr.E.Veda Bagathsingh, SGP

ORDER

Mr.E.Veda Bagath Singh, learned Special Government Pleader, takes notice for the respondents. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.



W.P.No.7974 of 2023

2. The Writ Petition has been filed seeking direction to the first respondent to return the Ashok Leyland Dost RLS Open bearing Registration No.TN 97 C 2445 seized by the second respondent on 22.02.2023 to the petitioner herein.

3. It is the grievance of the petitioner that on 22.02.2023, the petitioner came to know that his driver was illegally transported PDS rice from his vehicle as stated supra. The second respondent police, during vehicle search, found 14 bags totally 700 Kgs. PDS rice in his vehicle and seized the said goods and the vehicle and a case has been registered. Hence, the present writ petition has been filed to return the petitioner's vehicle.

4. On the other hand, the learned Special Government Pleader submitted that the seizure of PDS rice is worth about Rs.53,955/- If the petitioner is ready to pay the said amount, he has no objection for return of the petitioner's vehicle.

5. In reply, the learned counsel for the petitioner submitted that without prejudice his rights, the petitioner is ready to pay a sum of



W.P.No.7974 of 2023

Rs.30,000/- (Rupees Thirty thousand only) and this Court may issue a direction to the first respondent to return the petitioner's lorry within the stipulated time as fixed by this Court.

6. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing on behalf of the respondents and perused the materials available on record.

7. Considering the facts and circumstances of the case and also of the fact that the petitioner, on his own volition, is ready to pay a sum of Rs.30,000/- , this Court is inclined to pass the following orders:

"(i) The petitioner is directed to pay a sum of Rs.30,000/- (Rupees thirty thousand only) before the learned Judicial Magistrate-I, Thiruvannamalai, by filing an appropriate petition/application and thereafter, he is directed to produce the receipt before the first respondent within a period of two weeks from the date of receipt of a copy of this order;

(ii) after receiving such receipt, the first respondent shall return the vehicle to the petitioner within a period of two weeks, thereafter.



W.P.No.7974 of 2023

WEB COPY

8. With the above direction, the writ petition stands disposed of. No costs.

16.03.2023

rli

Index : Yes/No

Internet : Yes/No

To

1. The District Revenue Officer,
District Revenue office,
Thiruvannamalai,
Thiruvannamalai District.

2. The Inspector of Police,
Civil Supply, CID,
Thiruvannamalai,
Thiruvannamalai District.



WEB COPY



W.P.No.7974 of 2023

M.DHANDAPANI,J

rli

W.P. No. 7974 of 2023

16.03.2023