



W.P.No.10039 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.10039 of 2023

Nagendran

... Petitioner

Vs.

1.The District Revenue Officer,
District Revenue Office,
Nilgiris.

2. The Inspector of Police,
CSCID – Chennai,
Nilgiris.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to release the Mahindra Bolero Pickup Goods Carrier bearing registration no. TN37BY4147, Engine No.GHC1G31251, seized by the second respondent on 25.01.2023, by considering the petitioner's representation dated 25.02.2023.

For Petitioner : Mr.Deepanuday

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER



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This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents to release the Mahindra Bolero Pickup Goods Carrier bearing registration no. TN37BY4147, Engine No.GHC1G31251, seized by the second respondent on 25.01.2023, by considering the petitioner's representation dated 25.02.2023.

2. It is the case of the petitioner that his vehicle namely Mahindra Bolero Pickup Goods Carrier bearing registration No.TN37BY4147 was seized by the second respondent on allegation that it was involved in illegal transportation of 500 Kgs of PDS rice. While so, the petitioner made a representation dated 25.02.2023, before the respondents to return and release the above said vehicle. Since the same was not considered the present writ petition has been filed.

3. Learned counsel for the petitioner submitted that the petitioner, without prejudice to his rights and contentions, is ready to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) before the 1st respondent and on such deposit being made, the 1st respondent may be directed to release the vehicle.



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4. Learned Additional Government Pleader appearing for the respondents has no serious objection to the Petitioner's request.

5. Admittedly, the Petitioner's vehicle was seized on the premise that, it was allegedly involved in the illegal transportation of PDS rice. Keeping the vehicle idle will no longer serve any purpose. **Hence, this Court issues a direction to the Respondents to release the Petitioner's vehicle namely, Mahindra Bolero Pickup Goods Carrier bearing registration No.TN37BY4147, Engine No.GHC1G31251 subject to the following conditions:**

(i) The Petitioner, without prejudice to his rights and contentions, shall deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only)** before the 1st respondent within a period of **two weeks** from the date of receipt of a copy of this order;

(ii) The Petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification by the Authority;

(iii) On being satisfied with the ownership of the vehicle and on receipt of payment as stated supra, the 1st respondent shall release the



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subject vehicle, within a period of **one week from the date of deposit;**

(iv) The Petitioner shall not use the said vehicle for any unlawful purpose and shall not alienate the same during the pendency of the proceedings;

(v) It is open to the Respondents to initiate proceedings in accordance with law and pass appropriate orders on merits, as expeditiously as possible.

The Writ Petition is disposed of accordingly. No costs.

31.03.2023

Index : Yes / No
Speaking order / Nonspeaking order
Neutral Citation Case : Yes / No
(rap)

To



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M.DHANDAPANI, J.



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