



WEB COPY

WP No.10847 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-04-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.10847 of 2023

P.Pradeep

... Petitioner

Vs.

1.The Regional Transport Officer,
O/o.Regional Transport Office,
Tirupur North,
Tirupur-641 603.

2.The Motor Vehicle Inspector,
Grade-I, Unit Office,
Regional Transport Office,
Avinashi,
Tirupur-641 654.

3.The Inspector of Police,
Avinashi Police Station,
Avinashi,
Tirupur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to



WEB COPY

WP No.10847 of 2



release the petitioner's Stage Carriage piled on the route Tirupur to Coimbatore (via) Avinashi and Karumathampati and Tirupur to Gobi (via) Perumanallur covered by vehicle bearing Registration No.TN-21-BA-4999, which is in third respondent-Station forthwith petitioner explanation dated 29.03.2023.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader.

ORDER

The Vehicle Inspection Report shows that there was a dispute between one of the passenger and the Conductor and the Driver of the bus. The said passenger stopped the vehicle/bus with the support of the village people, which caused seizure of the vehicle/bus by the Authorities.

2. The Report further reveals that the Driver and the Conductor of the bus have committed an act of misconduct and the people of that locality requested the Authorities to initiate action against the Driver and the Conductor of the vehicle/bus.



3. That being the case, the seized vehicle/bus need not be kept in the custody Authorities without any valid reason.

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4. Learned counsel for the petitioner in support of his contention has relied on several judgments passed by this Court. In similar circumstances, this Court, by an order dated 17.04.2012, made in WP No.4538 of 2012, has passed an order, following the earlier orders of this Court.

5. In similar circumstances, this Court, by an order, dated 25.07.2011 in WP (MD) No.6110 of 2011, directed the respondents therein to release the vehicle on the following conditions:~

(i) The petitioner shall produce documents before the respondents to establish the ownership of the vehicle in question.

(ii) The petitioner shall give an undertaking that they will not use the vehicle in a route not authorised to ply and shall produce as and when required by the respondents.

(iii) On complying with condition Nos.(i) and (ii) above, the vehicle in question shall be returned to the petitioner.



(iv) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the Authority concerned.

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6. In view of the above, the present writ petition stands disposed of, with a direction to the second and third respondents, to verify the original records of the petitioner and after obtaining an undertaking shall release the vehicle, in accordance with the orders passed by this Court. However, there shall be no order as to costs.

05-04-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

Office to Note: Issue order copy on 06.04.2023.



To

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Tirupur-641 603.

2. The Motor Vehicle Inspector,
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WP No.10847 of 2





WEB COPY

WP No.10847 of 2



S.M.SUBRAMANIAM, J.

Svn

WP 10847 of 2023

05-04-2023