



W.P.No.18389 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.18389 of 2023

C.A.Saji

... Petitioner

Vs.

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

2.The Inspector of Police,
CSCID Police,
Nilgris.

... 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 Jeep (THAR) bearing Registration No. KL 33 C 5500, Engine No.GLB1H49468, seized by the second respondent on 28.11.2022, by considering the petitioner's representation dated 28.04.2023.

For Petitioner : Mr.Deepanuday

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader



W.P.No.18389 of 2023

WEB COPY

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents to release the vehicle namely Mahindra Jeep (THAR) bearing Registration No.KL-33-C-5500 to the petitioner by considering his representation, dated 28.04.2023.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader, takes notice for the respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. It is the case of the petitioner that, his vehicle namely Mahindra Jeep (THAR) bearing Registration No.KL-33-C-5500 was seized by the second respondent on allegation that it was involved in illegal transportation of 450 Kilograms of PDS rice. While so, the petitioner made a representation dated 28.04.2023, before the respondents to return and release the above said vehicle. Since the same was not considered, the above writ petition has been filed before this Court.



W.P.No.18389 of 2023

WEB COPY

4. Learned counsel for the petitioner submitted that the petitioner, without prejudice to his rights and contentions, is ready to deposit a sum of Rs.50,000/- (Rupees Fifteen Thousand only) before the first respondent and on such deposit being made, the first respondent may be directed to release the vehicle.

5. On the above said contentions, this Court, heard the learned Special Government Pleader appearing for the respondents and perused the materials placed on record.

6. 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 Jeep (THAR) bearing registration No.KL-33-C-5500** subject to the following conditions:

(i) The Petitioner, without prejudice to his rights and contentions, shall deposit a sum of **Rs.50,000/- (Rupees Fifteen Thousand**



WEB COPY



W.P.No.18389 of 2023

only) before the first 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 first respondent shall release the 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.



W.P.No.18389 of 2023

WEB COPY

7. The Writ Petition is disposed of accordingly. No costs.

23.06.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp

To

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

2.The Inspector of Police,
CSCID Police,
Nilgris.



WEB COPY



W.P.No.18389 of 2023

M.DHANDAPANI, J.

sp

W.P.No.18389 of 2023

23.06.2023