



WEB COPY



W.P.No.18853 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

CORAM :

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

W.P.No.18853 of 2023

Iyyappan

... Petitioner

Vs.

1. The District Revenue Officer,
Perambalur District,
Perambalur.

2. The Inspector of Police,
CSCID,
Perambalur Police Station,
Perambalur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to release the petitioner's ASHOK LAYLAND DHOST vehicle / bearing Registration No.TN.39-CU 5720 seized by the second respondent on 6.11.2022 by considering the representation of the petitioner dated 13.06.2023 in accordance with law.

For Petitioner : Mr.M.Velmurugan

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



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ORDER

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This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the first respondent to release the petitioner's vehicle ie., ASHOK LEYLAND DHOST bearing Registration No.TN.39 CU 5720 seized by the second respondent on 6.11.2022 by considering the representation of the petitioner dated 13.06.2023.

2. It is the case of the petitioner that his vehicle namely ASHOK LEYLAND DHOST bearing registration No.TN.39 CU 5720 was seized by the second respondent on allegation that it was involved in illegal transportation of 20,000/- Kgs of PDS rice. While so, the petitioner made a representation dated 13.06.2023, before the first respondent 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.2,00,000/- (Rupees Two Lakhs 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 Special 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 first respondent to release the Petitioner's vehicle namely, ASHOK LEYLAND DHOST bearing registration No.TN.39 CU 5720, subject to the following conditions:**

(i) The Petitioner, without prejudice to his rights and contentions, shall deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs 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.

27.06.2023

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



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To

1. The District Revenue Officer,
Perambalur District,
Perambalur.
2. The Inspector of Police,
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Perambalur District.



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M.DHANDAPANI, J.

(rap)

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