



W.P.No.19904 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.19904 of 2023

R.Chithanathan

... Petitioner

Vs.

1.The District Revenue Officer,
O/o.The District Collector,
Coimbatore District.

2.The Inspector of Police,
CSCID,
Coimbatore,
Coimbatore District.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to release the petitioner's TATA INTRA bearing registration number TN-65-BX-5392 which was seized by the 2nd respondent on 02.05.2023 by consider the petitioner's representation dated 30.05.2023.

For Petitioner : Mr.A.Sathishkumar



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For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

Considering the limited prayer sought for in the Writ Petition, this Writ Petition is taken up for disposal at the admission stage with the consent of the learned counsel appearing for the parties.

2. It is seen from the records that the vehicle belonging to the petitioner was seized for unauthorisedly transporting rice meant for public distribution system. The case has been registered under the Essential Commodities Act against the petitioner. The vehicle was seized on 02.05.2023. Considering the fact that if the vehicle is allowed to be in police custody, it may loose the entire value by efflux of time, the following directions are issued:

(a) The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty five thousand only) before the first respondent within a period of two weeks from the date of receipt of a copy of this order.

(b) The petitioner shall appear in person and produce all the relevant



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documents proving the ownership of the vehicle for verification of the authority.

(c) On receipt of payment as stated supra and also on being satisfied with the ownership of the vehicle, the first respondent shall release the subject vehicle forthwith.

(d) The petitioner shall not use the said vehicle for any unlawful purpose and also shall not alienate the same during the pendency of the proceedings.

(e) It is open to the respondents to initiate proceedings in accordance with law and pass appropriate orders on merits, within a period of three months from the date of receipt of a copy of this order.

(f) If no such order is passed within the time stipulated therein, the amount so paid by the petitioner shall be refunded to him.

N.SESHASAYEE, J.



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(g) This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of criminal Court. If the vehicle is in the custody of the criminal Court, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law.

3. This Writ Petition is disposed of with the above directions. No costs.

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Index : Yes / No

Neutral citation : yes/no

To

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