



WEB COPY



W.P.No.27758 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.27758 of 2023

Vishwanathan

... Petitioner

Vs.

1.The District Revenue Officer
District Revenue Office
Namakkal District

2.The Inspector of Police
Civil Supplies CID Police
Namakkal District

3.The District Supply Officer
Namakkal
(This Court suomotu impleaded
vide its order dated 22.09.2023)

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the EICHER Medium Goods Vehicle bearing Registration No.TN-61-4727, Engine No.E483CD9J213928 seized by the 2nd respondent on 20.07.2023, to the petitioner forthwith based on the representation of the petitioner dated 30.07.2023.



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For Petitioner : Mr. Deepan Uday

For Respondents : Mr. C. Kathiravan
Spl. Government Pleader - R1 & R3

Mr. N. Muthuvel
Government Advocate (Crl. Side) - R2

ORDER

The District Supply Officer (D.S.O.), Thiruvalur District, vide its notice dated 25.09.2023 has fixed an enquiry under Section 6(B) of the Essential Commodities Act on 03.10.2023 at 3.00 p.m. The petitioner is now required to appear before him for the enquiry and he is at liberty to raise all contentions which are available for him to defend himself in the matter.

2. Learned counsel for the petitioner submitted that as per statute only the District Collector / D.R.O. has a power to pass an order of confiscation or impose penalty and the District Supply Officer does not have any authority.

3. Learned Government Advocate on instructions submits that D.R.O. has only required the D.S.O. to hold an enquiry but the final order will be passed only by the D.R.O.



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4.This Court now directs the D.R.O. to pass his final proceedings on or before

10.10.2023.

5.This writ petition stands disposed of accordingly. No costs.

27.09.2023

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To

1.The District Revenue Officer
District Revenue Office
Namakkal District

2.The Inspector of Police
Civil Supplies CID Police
Namakkal District

3.The District Supply Officer
Namakkal



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N.SESHASAYEE, J.

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