



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.33986 of 2022

G.Nagamallapa

.. Petitioner

Vs.

1.The District Collector,
Erode District.

2.The Revenue Divisional Officer,
Gobichettipalayam,
Erode District.

3.The Inspector of Police,
Thalavadi Police Station,
Sathyamangalam Taluk,
Erode District.

4.The District Revenue Officer,
Erode District.
(Suo motu impleaded vide order dated
11.01.2023)

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to release the Tata Ace Gold vehicle bearing Reg.No.KA-10-A-6073 to the petitioner.



For Petitioner .. Mr.S.Kamadevan
For Respondents .. Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction to the respondents to release the vehicle namely, Tata Ace Gold bearing Reg.No.KA-10-A-6073.

2.The said vehicle was seized by the 3rd respondent on 27.06.2021 for transporting 26 bags of rice meant for public distribution and in this regard, a First Information Report in Crime No.111 of 2021 had also been registered by the 3rd respondent under Section 6(4) of the TNSC (RDCS) order 1982 read with 7(i)(a)(ii) of the Essential Commodities Act, 1955.

3.Mr.U.Bharanidharan, learned Additional Government Pleader, stated that the 3rd respondent had forwarded the requisite records to the Superintendent of Police and thereafter, along with the Consumer Authority the papers will have to be forwarded to the District Revenue Officer at



Erode, who will then initiate proceedings under Section 6 of the Essential Commodities Act, 1955.

4. In view of the above submissions, the District Revenue Officer, Erode District, is suo motu added as a 4th respondent to the present writ petition. Before issuing the order copy, the Registry is directed to carry out necessary amendment in the cause title, impleading the District Revenue Officer, Erode District, as the 4th respondent in the writ petition.

5. A direction is given to the 4th respondent that, on receipt of the relevant records from the office of the Superintendent of Police, to examine the issue of return of the vehicle and pass necessary orders. A further direction is issued that necessary records are actually forwarded to the District Revenue Officer on or before 31.01.2023 must be ensured by the 1st respondent. Thereafter, the petitioner may go over to the District Revenue Officer on 06.02.2023 or on 07.02.2023 between 11 a.m to 2.00 p.m and the District Revenue Officer must pass orders relating to the release of the vehicle. Such orders have to be passed on or before 10.02.2023.



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6.Mr.S.Chandrasekaran, Special Sub-Inspector of Police, Thalavadi Police Station, Sathyamangalam Taluk, Erode District, is present in Court today. This, as a matter of fact, is of much assistance to the Court, and a specific direction is given to the Special Sub-Inspector of Police to personally ensure that the records are actually forwarded from the office of the Superintendent of Police to the office of the District Revenue Officer, Erode, on or before 31.01.2023. I am confident that the records will be so ensured to be forwarded by Mr.S.Chandrasekaran, Special Sub-Inspector of Police.

7.With the above observations, this Writ Petition stands disposed of.
No costs.

11.01.2023

Index:Yes/No
Internet:Yes/No
smv



To
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6

C.V.KARTHIKEYAN,J.

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