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W.P.(MD)NO.1553 OF 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 27.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.1553 of 2023**

Thirukannan

... Petitioner

Vs.

1. The District Revenue Officer,  
Ramnad,  
Ramanathapuram District.

2. The Inspector of Police,  
Civil Supplies CID,  
Ramanathapuram.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to release the petitioner's Auto PIAGGIO three wheeler bearing registration No. TN 65 F 2048 seized by the 2<sup>nd</sup> respondent on 15.12.2022 within the time stipulated by this Court.

For Petitioner : Mr.P.Karthick

For R-1 : Mr.B.Saravanan,  
Additional Government Pleader.

For R-2 : Mr.B.Thanga Aravindh,  
Government Advocate (Crl. Side).

\* \* \*





*“17.In our view, whatever be the situation, it is of no use to keep such seized vehicles at the police stations for a long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of the said vehicles, if required at any point of time. This can be done pending hearing of applications for return of such vehicles.*

6. Therefore, the second respondent is directed to grant interim custody of the said vehicle to the petitioner subject to the following conditions:-

a) *The petitioner shall not alienate or encumber the vehicle till the proceedings are completed.*

b) *The petitioner shall produce all the documents pertaining to the ownership of the seized vehicle. If the petitioner is an agreement holder, he can produce the relevant xerox copies.*

c) *As and when the respondents call for the vehicle for enquiry, the petitioner has to produce the vehicle in question and he shall cooperate with the enquiry to be conducted by the respondents.*



7. Upon completion of these formalities, the respondents shall grant interim custody of the vehicle forthwith to the petitioner without any delay. If this undertaking given by the petitioner is breached, the petitioner will not be entitled to interim custody of the vehicle in future. The Writ Petition is allowed accordingly. I make it clear that allowing of this writ petition will not have any bearing on the confiscation proceedings that may be initiated by the authorities. No costs.

**27.01.2023**

NCS : Yes / No  
Index : Yes / No  
Internet : Yes / No  
PMU

**Note : Issue order copy on 27.01.2023.**

**To:**

1. The District Revenue Officer,  
Ramnad,  
Ramanathapuram District.
2. The Inspector of Police,  
Civil Supplies CID,  
Ramanathapuram.



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**G.R.SWAMINATHAN,J.**

PMU

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