



W.P.(MD) No.4676 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.4676 of 2023

Vadivel

.. Petitioner

Vs.

1.The Superintendent of Police (PEW),
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
PEW, Virudhunagar,
Virudhunagar District.

3.The Inspector of Police,
Prohibition and Excise Wing (PEW)-Sattur,
Virudhunagar District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 3rd respondent to release the petitioner's seized by the 3rd respondent on 24.01.2023 based on the petitioner's representation dated 16.02.2023.

For Petitioner : Mr.M.Karunanithi



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For Respondents : Mr.M.Vaikkam Karunanithi
Government Advocate

ORDER

The present writ petition is filed for issuance of Writ of Mandamus directing the 3rd respondent to release the petitioner's TVS SCOOTY bearing Registration No.TN67 BV 3998, which was seized by the 3rd respondent on 24.01.2023 for which the petitioner has also made a representation on 16.02.2023.

2. The facts would reveal that on 24.01.2023, the petitioner's aforementioned vehicle was seized by the 3rd respondent, as he was found carrying a gunny bag with 27 bottles of 180 ml Jet Brandy without a valid permit. The vehicle was seized and taken by the 3rd respondent and it is now parked in the open.

3. It is the contention of the learned counsel for the petitioner that if it is continued to be kept idle in the open, the vehicle would become scrap. Therefore, the petitioner has made a representation to the third



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respondent to release the two-wheeler on 16.02.2023. The learned counsel for the petitioner would submit that there is no response to this representation. Hence, the present writ petition came to be filed.

4. Heard Mr.M.Vaikkam Karunanithi, learned Government Advocate for the respondents, who has stated that the vehicle, at present, is not required for investigation, but the petitioner shall produce the vehicle as and when required by the 3rd respondent.

5. In the light of the above, this Writ Petition is allowed directing the 3rd respondent to release the petitioner's TVS SCOOTY bearing Registration No.TN67 BV 3998 on condition that the petitioner shall produce it any time it is required by the 3rd respondent. No costs.

06.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

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P.T.ASHA, J.

abr

To

- 1.The Superintendent of Police (PEW),
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