

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.04.2023

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.(MD)No.7577 of 2023

Thangapandian

... Petitioner

Vs.

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Civil Supplies C.I.D-Madurai,
Tirunelveli.
Crime No.29/2023

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents herein to forthwith to release the petitioner's TATA INTRA V30 van bearing Registration No.TN-76-AT-4529 from their custody on the basis of petitioner's representation dated 28.03.2023.

For Petitioner :Mr.R.Maheswaran

For Respondents :Mr.D.S.Nedunchezian
Government Advocate

ORDER

The petitioner seeks a direction for the release of TATA INTRA V30 Van bearing registration No.TN-76-AT-4529.

2. The petitioner states that the above mentioned vehicle was seized by the second respondent on 19.02.2023 in connection with Crime No.29 of 2023 for alleged offences under Sections 6(4) of the Tamilnadu Scheduled Commodities (RDCS) Order 1982 r/w 7(1) (a) (ii) of the Essential Commodities Act, 1955.

3. From the documents placed on record by the petitioner, it is clear that the registration certificate is in the name of R.Ananth. The alleged vehicle purchase contract was purportedly executed by R.Ananth and the petitioner on 25.03.2023, which is subsequent to the date of seizure. The registration continues to stand in the original owner's name as on date. As pointed out by learned Government Advocate, it is stated both in the affidavit in support of the writ petition and in the representation that the vehicle was purchased by the petitioner from V.Subramanian.

4. In the above facts and circumstances, I am not inclined to exercise discretionary jurisdiction in this matter. It is open to the petitioner to approach the first respondent. W.P.(MD).No.7577 of 2023 is disposed of on the above terms without any order as to costs.

05.04.2023

NCC :Yes/No

Internet :Yes/No

Index :Yes/No

sbn

To

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Civil Supplies C.I.D-Madurai,
Tirunelveli.

W.P.(MD)No.7577 of 2023

SENTHILKUMAR RAMAMOORTHY, J.

sbn

W.P.(MD)No.7577 of 2023

05.04.2023