



W.P.(MD) No.10662 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.10662 of 2023

B.Chandra

... Petitioner

Vs.

1.The Additional Superintendent of Police,
Prohibition and Enforcement Wing,
Karur.

2.The Inspector of Police,
Prohibition and Enforcement Wing,
Karur, Karur District.
(Crime No.507 of 2023)

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 17.04.2023 immediately and release the petitioner's vehicle namely TATA EICHER 1212 CRX BS-4 bearing Registration No.TN-59-CD-5650 seized on 26.03.2023 in pertaining to the case in Crime No.507 of 2023 on the file of the second respondent herein and hand over to the petitioner.

For Petitioner : Mr.C.Ezhilarasu



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For Respondents : Mr.A.Sivanupandian
Government Advocate

ORDER

Seeking for a mandamus to the respondents to consider the petitioner's representation dated 17.04.2023 and release the petitioner's vehicle, namely, TATA EICHER 1212 CRX BS-4 bearing Registration No.TN-59-CD-5650 seized on 26.03.2023 pertaining to the case in Crime No.507 of 2023, on the file of the second respondent herein and hand over the vehicle to the petitioner, the petitioner has approached this Court.

2. It is the case of the petitioner that she is the owner of the above referred lorry. The said lorry was seized on 26.03.2023 at about 1.00 p.m., on an allegation that her driver, namely, Rajapandi, S/o.Ramadosh was carrying un-authorised liquors. The transportation, according to the petitioner, was being done by her driver, Rajapandi without her knowledge. It appears that the second respondent had taken custody of the vehicle and the same is now lying in their police station.



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The petitioner would submit that when she has recently inspected the same, she finds that several valuable parts have been missing. She had also come to know that steps have been taken to confiscate the vehicle. Therefore, the above writ petition.

3. When this Court asked the learned Government Advocate appearing for the respondents, he fairly concedes that the confiscation to the vehicle has not been done.

4. In the light of the above, this Writ Petition is disposed of with a direction to the respondents to consider the petitioner's representation dated 17.04.2023 and pass appropriate orders on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. Till then, no confiscation shall be proceeded. No costs.

28.04.2023

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



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To

- 1.The Additional Superintendent of Police,
Prohibition and Enforcement Wing,
Karur.
- 2.The Inspector of Police,
Prohibition and Enforcement Wing,
Karur, Karur District.



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P.T.ASHA, J.

cp

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