



W.P.(MD) Nos.14845, 14846 & 14847 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN**

W.P.(MD) Nos.14845, 14846 & 14847 of 2023

P.Dinesh	... Petitioner in W.P.(MD) No.14845 of 2023
Manikandan	... Petitioner in W.P.(MD) No.14846 of 2023
Mohankumar	... Petitioner in W.P.(MD) No.14847 of 2023

-vs-

- 1.The Revenue Divisional Officer
Dindugul District
Dindugul
- 2.The Assistant Director
Mines and Minerals Department
Dindigul Collectorate
Dindigul
- 3.The Inspector of Police
Sempatti Police Station
Dindigul District

... Respondents in
all W.Ps.



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W.P.(MD) Nos.14845, 14846 & 14847 of 2023

PRAYER (in W.P.(MD) No.14845 of 2023): Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents to release the petitioner's vehicles of Tipper lorry (Ashok Leyland Lorry) vehicle bearing registration number TN 48 R 9315 from the custody of the respondents in respect of Crime No.142 of 2023 dated on 29.04.2023 to hand over to the petitioner by considering the petitioner's representations dated 10.05.2023 & 07.06.2023 within the time stipulated by this Court.

PRAYER (in W.P.(MD) No.14846 of 2023): Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents to release the petitioner's vehicles of Tipper lorry (Ashok Leyland Lorry) vehicle bearing registration number TN 46 D 3595 from the custody of the respondents in respect of Crime No.142 of 2023 dated on 29.04.2023 to hand over to the petitioner by considering the petitioner's representations dated 10.05.2023 & 07.06.2023 within the time stipulated by this Court.

PRAYER (in W.P.(MD) No.14847 of 2023): Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents to release the petitioner's vehicles of Earth Moving Equipment



W.P.(MD) Nos.14845, 14846 & 14847 of 2023

WEB C (JCB) vehicle bearing registration number TN 57 BB 9840 from the custody of the respondents in respect of Crime No.142 of 2023 dated on 29.04.2023 to hand over to the petitioner by considering the petitioner's representations dated 10.05.2023 & 07.06.2023 within the time stipulated by this Court.

For Petitioner : Mr.S.Sivaprakash
(in all W.Ps.)

For Respondents : Mr.P.Thilakkumar
(in all W.Ps.) Government Pleader

COMMON ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard Mr.S.Sivaprakash, learned counsel for the petitioner and Mr.P.Thilakkumar, learned Government Pleader, for the respondents, in all the writ petitions.

2. The petitioners seek release of their vehicles as claimed in the prayer clause.



W.P.(MD) Nos.14845, 14846 & 14847 of 2023

WEB COPY

3. It is stated by the learned Government Pleader appearing for the respondents that for release of vehicles, the earlier Division Bench of this Court has held that writ petition is not maintainable and the petitioner has to move the Special Court, where the criminal case is pending.

4. Learned counsel for the petitioners submits that the Special Court, as on date, is not functioning. In similar set of facts, the Division Bench of this Court, by order dated 05.07.2022 in W.P.(MD) No.14179 of 2022, had directed the petitioner therein to approach the Principal District Judge for release of his vehicle.

5. In view of the above, the petitioners herein may approach the concerned Principal District Judge and file an application seeking release of their vehicles.

6. On receipt of such application, the concerned Principal District Court shall pass orders on its own merits and in accordance with law, preferably within a period of four weeks thereafter.



W.P.(MD) Nos.14845, 14846 & 14847 of 2023

WEB COPY

7. With the above observation, the writ petitions are disposed of.

There will be no order as to costs.

[S.V.G., .C.J.]

[R.S.M., J.]

22.06.2023

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

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To:

- 1.The Revenue Divisional Officer,
Dindugul District,
Dindugul.
- 2.The Assistant Director,
Mines and Minerals Department,
Dindigul Collectorate,
Dindigul.
- 3.The Inspector of Police,
Sempatti Police Station,
Dindigul District.



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W.P.(MD) Nos.14845, 14846 & 14847 of 2023

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