



W.P.(MD)No.19710 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.19710 of 2023

Poorani

... Petitioner

versus

1. The District Revenue Officer,
Theni,
Theni District.

2. The Revenue Divisional Officer,
Theni,
Theni District.

3. The Inspector of Police,
CSCID,
Uthamapalayam,
Theni District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents to release the petitioner's TATA 407 Vehicle bearing Registration No.TN73 D 3475 within the stipulated time fixed by this Court, on the basis of the petitioner's representation dated 01.08.2023.



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For Petitioner : Mr.S.T.Sasidharan
For R1 and R2 : Ms.D.Farjana Ghoushia,
Special Government Pleader
For R3 : Mr.P.Kottaichamy,
Government Advocate (Crl. side)

ORDER

The petitioner's vehicle bearing Reg.No.TN73 D 3475 was seized by the respondent Police in connection with the case in Crime No. 113/2023 which has been registered by the 3rd respondent for the offence punishable under Section 6(4) of TNSC (RDCS) Order 1982 r/w.7(I)(a)(ii) of Essential Commodities Act, 1955.

2. The learned counsel appearing for the petitioner submits that the petitioner is innocent and she has not committed any offence. She has also submitted a representation to the 3rd respondent requesting him to release her vehicle bearing Reg.No.TN73 D 3475. Since the same has not been considered, the present writ petition has been filed.



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3. The learned Special Government Pleader, who takes notice for the respondents 1 and 2, on written instructions, submits that the first respondent has initiated a proceedings under Section 6(A)(1) of the Essential Commodities Act and confiscated the vehicle. She further submits that a notice was also issued to the petitioner on 10.08.2023 fixing the date for enquiry on 24.08.2023 at about 11 a.m. A copy of the enquiry notice dated 10.08.2023 is also placed before this Court.

4. Considering the submission of the learned Government Pleader that the first respondent has initiated a proceedings under Section 6(A)(1) of the Essential Commodities Act and has also fixed the date for enquiry on 24.08.2023, this writ petition is disposed of with a liberty to the petitioner to appear before the first respondent for enquiry on 24.08.2023 at 11.00 a.m. and raise all these grounds raised in this writ petition before the concerned authority. No costs.

14.08.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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