



W.P(MD)No.29188 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29188 of 2023

and

W.M.P.(MD)Nos.25250 and 25251 of 2023

Manikandan

... Petitioner

Vs.

1.The District Revenue Officer,
Tenkasi District, Tenkasi.

2.The Inspector of Police,
Civil Supply – CID Tirunelveli Police Station,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in Na.Ka.No.COLR/3417/2022-R1 dated 06.01.2023 and quash the same as illegal and consequently direct the respondents to release the Petitioners vehicle bearing Registration No. TN 76 U 6648 (Mahindra Bolero Maxi Truck) forthwith.



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For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.M.Sidharthan,
Addl. Government Pleader for R1.
Mr.A.Albert James,
Government Advocate for R2.

ORDER

Heard both sides.

2.The petition mentioned vehicle was involved in a case arising under Essential Commodities Act. It was ordered to be confiscated by the first respondent. As per the statutory scheme, the vehicle owner is given the option of paying the value of the vehicle. The first respondent has valued the vehicle at Rs.1,30,000/-.

3.It is not in dispute that the vehicle was seized on 11.07.2022. It is in the custody of the respondents ever since. For 1 ½ years, the vehicle had been kept in a open place and it was espoused to rain and sun. Photographs have been produced. It is seen that creepers and plants have



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grown around the vehicle. The vehicle is of 2012 model. I am satisfied in view of these facts, the vehicle will not be worth more than Rs.50,000/-. The order of confiscation is sustained. The value of the vehicle is modified as “Rs.50,000/-” instead of “Rs.1,30,000/-”. The petitioner undertakes to remit the said amount within seven days from the date of receipt of a copy of this order. Once the said amount remitted, the vehicle shall be handed over to the petitioner.

4.This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

14.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

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G.R.SWAMINATHAN, J.

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