IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL MISHRA

ON THE 2nd OF FEBRUARY, 2024

WRIT PETITION No. 1515 of 2024

BETWEEN:-

SHEIKH VAJEER S/O LATE JALEEL AGED ABOUT 43 YEARS, OCCUPATION: VEHICLE OWNER R/O SHEIKHON KA MOHALLA TIKAMGARH POLICE STATION AND DISTRICT TIKAMGARH (M.P.)

.....PETITIONER

(BY SHRI ARVIND PATHAK - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THROUGH PRINCIPAL SECRETARY REVENUE DEPARTMENT DISTRICT TIKAMGARH (M.P.)**

2. **COLLECTOR AND DISTRICT MAGISTRATE TIKAMGARH DISTRICT TIKAMGARH (M.P.)**

3. **STATION HOUSE OFFICER POLICE STATION KHARGAPUR DISTRICT TIKAMGARH (M.P.)**

4. **DISTRICT EXCISE OFFICER TIKAMGARH DISTRICT TIKAMGARH (M.P.)**

.....RESPONDENTS

This petition coming on for admission this day, the court passed the following:

ORDER

This petition has been filed seeking the following reliefs :

(i) It is most humbly prayed that Your Lordships may graciously be pleased to issue a writ in the nature of mandamus to command the respondent no.2 to produce entire record pertaining to the instant subject matter before this Hon'ble High Court for kind perusal and

Signature Not Verified
Signed by: VINOD VISHWAKARMA
Signing time: 2/3/2024 12:58:57 PM

ready reference of this Hon'ble Court.

(ii) It is further most humbly prayed that Your Lordships may graciously be pleased to issue a writ in the nature of certiorari to set-aside impugned order dated 10.5.22 passed by the respondent no.2 - Collector & District Magistrate, Tikamgarh contained in Annexure P/1 by allowing an application u/S 451 Cr.P.C. contained in Annexure P/3 filed by the petitioner before the respondent no.2 and to release the white Colour Maruti Suzuki Desire Car Engine no.K12NN9039158 Chassis No.MA3CZFB3SLJ699800 belongs to the lawful ownership of the petitioner which is kept in open sky of premises of respondent no.3 viz. Police Station Khargapur, District Tikamgarh (M.P.), in the interest of justice.

(iii) Any other writ, order or direction, which this Hon'ble Court deems fit and proper in the facts and circumstances of the case, may also kindly be passed, in the interest of justice.

2. The petitioner is having an efficacious and alternative remedy. He has directly come before this Court without availing such remedy. In view whereof, this Court is not inclined the entertain this petition.

3. Accordingly, the petition stands dismissed. However, the petitioner may avail the efficacious and alternative remedy available to him in accordance with law.

(VISHAL MISHRA)
JUDGE

VV

Signature Not Verified
Signed by: VINOD VISHWAKARMA
Signing time: 2/3/2024 12:58:57 PM