



WEB COPY

W.P.No.16184 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.16184 of 2024

Thangapandian

.. Petitioner

vs

1.The District Revenue Officer,
Dharmapuri District, Dharmapuri.

2The Inspector of Police,
Civil Supplies CID Chennai.
Dharmapuri, in Crime NO. 94/2022

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondents herein to forthwith release the petitioner's ASHOK LEYLAND DOST Van bearing Registration No.TN-29-BP-1830 from their custody on the basis of the petitioner's representation dated 05.06.2024.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.P.Harish, Government Advocate
for R1
Mr.S.Vinoth Kumar,
Government Advocate(Crl.Side) for R2

ORDER

Mr.P.Harish, learned Government Advocate, accepts notice for R1 and Mr.S.Vinoth Kumar, learned Government Advocate (Criminal Side), accepts notice for R2. Both are armed with necessary instructions to enable a final disposal of this matter even at this juncture.

2. The petitioner seeks a writ of mandamus directing the respondents to release the vehicle (Ashok Leyland Dost Van) bearing



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Registration NO. TN 29 BP 1830 from their custody. He has also made a representation on 05.06.2024 to similar effect.

3. The first objection raised by the respondents is that the petitioner is not the owner of the vehicle as the RC book contains the name of another person. Written instruction ந.க.18832/2022/ஜெ2 dated 22.06.2024 reveal that proceedings under the Essential Commodities Act have been initiated concluded as early as on 06.01.2023. Hence it is appropriate that the owner challenge order dated 06.01.2023 or comply with the terms thereunder to obtain necessary relief.

4. At this juncture, the petitioner has asked that a copy of order dated 06.01.2023 be supplied to him. This Court, bearing in mind, the admitted position that the petitioner is not the owner as per the registration certificate but only claims ownership through an agreement which is placed on file, does not think it appropriate to accept this request. If at all the petitioner claims any rights in regard to this vehicle, it is for him to work out the rights with the owner per registration certificate and not by way of this writ petition.

5. With this, writ petition stands dismissed in terms of this order. No costs.

24.06.2024

Index:Yes/No
Neutral Citation:Yes
ssm



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DR. ANITA SUMANTH,J.

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