



WEB COPY

W.P.No.21587 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21587 of 2021

P.Shanmugam

... Petitioner

Vs.

1. The District Revenue Officer,
Salem, Salem District.

2. The Inspector of Police,
Civil Supplies CID, Salem,
Salem District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to release the Lorry bearing Registration No. KA-01-B-7954 seized by the 2nd respondent on 16.08.2021 to the petitioner.

For Petitioner : Mrs.R.Hemalatha

For Respondents : Mr.T.Arunkumar,
Additional Government Pleader

ORDER

The relief sought for in the present Writ Petition is to direct the 1st respondent to release the Lorry bearing Registration No. KA-01-B-7954 seized by the 2nd respondent on 16.08.2021 to the petitioner.



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2. It is not disputed that the subject lorry has been involved in a criminal case. The Inspector of Police, Civil Supplies, CID, Salem seized the lorry and a case under the provisions of the Essential Commodities Act was registered. Therefore, for return of goods or release of lorry, the petitioner has to approach the competent authorities or the criminal court of law for return of property under the provisions of the Criminal Procedure Code. However, a writ for release of lorry is not entertainable.

3. By granting liberty to the petitioner to approach the competent Court, the present Writ Petition stands dismissed. No costs.

09.02.2024

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Index : Yes

To

1. The District Revenue Officer,
Salem, Salem District.
2. The Inspector of Police,
Civil Supplies CID, Salem,
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S.M.SUBRAMANIAM, J.

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