



W.P.(MD)No.525 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 10.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.525 of 2024 &
W.M.P(MD)No.550 of 2024

Vellaichamy

...Petitioner

/Vs./

1.The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur, Thanjavur District.

2.The Inspector of Police,
CSCID Police Station,
Thanjavur,
In Crime No.65 of 2023.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Tha.Pa.No.Ka 3-98-2023 dated 08.12.2023 passed by the 1st respondent and quash the same and consequently direct the respondents to handover the vehicle bearing Registration no. TN 64 V 5338 Ashok Leyland Dosth.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.K.Christy Thebaral (R1)

Additional Government Pleader

Ms.M.Aasha (R2)

Government Advocate



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ORDER

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2. The case of the petitioner is that the petitioner own vehicle was seized by the second respondent police for illegal transportation of PDS rice. The petitioner was involved in this case and he was also arrested and released on bail by the order of this Court dated 01.07.2023 in CrI.O.P.(MD)No.12565 of 2023. Since the petitioner did not know about the transportation of PDS rice, the petitioner filed a petition before the learned Judicial Magistrate No.II, Thanjavur, for return of vehicle, which was allowed on certain conditions. Thereafter, the second respondent initiated confiscation proceedings dated 06.12.2023. Aggrieved over the same, this petition has been filed.

3. The learned Additional Government Pleader and the Government Advocate appearing for the respondents object for return of vehicle, which was used for transportation of PDS rice.



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4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents. By consent of both parties, this writ petition is disposed at the stage of admission itself.

5. It is seen that the priceless PDS rice is distributed by the Government only meant for poor people. Though the Government is taking such measures for uplifting the poor people, the persons like the petitioner are doing such illegal activities, which affect the poor people's life. Even though the petitioner prayed his innocence, they are not really innocents and they are doing illegal activities which have to be tried only by the trial Court. Hence, this Court is not inclined to interfere with the order impugned in this writ petition and accordingly, this writ petition is dismissed. However, if the petitioner deposits a sum of Rs.35,000/- as per the orders of the learned Judicial Magistrate No.II, Thanjavur, on or before 29.02.2024, the respondents shall consider for release of the vehicle. No costs. Consequently, connected Miscellaneous Petition is closed.

10.01.2024

NCC : Yes/No

Index : Yes/No



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V.BHAVANI SUBBAROYAN, J.

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TO:-

- 1.The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur,
Thanjavur District.
- 2.The Inspector of Police,
CSCID Police Station,
Thanjavur,

Order made in
W.P(MD)No.525 of 2024

Dated:
10.01.2024