



W.P.(MD)No.10227 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.10227 of 2024

Mohamed Thaha

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate Building,
Tenkasi District.

2.The Project Manager,
District Rural Development Agency,
Office of the Collectorate Building,
Tenkasi District.

3.The Detaining Officer,
Block Development Officer,
Kuthukal Valasal,
Tenkasi District.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to look into the petitioner's representation dated 08.04.2024 and dispose the same with accordance with law within time frame as fixed by this Court.



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For Petitioner : Mr.D.S.Haroon Rasheed
For Respondents : Mr.D.Sadiq Raja,
Addl. Govt. Pleader for R1 & R2
Mr.C.Satheesh for R3

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 08.04.2024 and dispose the same in accordance with law within the time frame as fixed by this Court.

2. It is the case of the writ petitioner that the petitioner doing the business of gold smith at Tenkasi District. In order to purchase the gold jewels, the petitioner's employee one Syed Ali has carried an amount of Rs.35 lakhs, during the general election 2024. While conducting the vehicle checkup, the said amount was seized by the 1st respondent from the petitioner's employee. Though the petitioner has also produced the proof for the source of income in respect of the said amount, the respondents instructed the petitioner to approach the collectorate building. The petitioner has also approached the Collectorate building and produced all the documents. Even thereafter, no fruitful result arrayed at and



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the amount is still kept in the custody of the 2nd respondent. In this regard, the petitioner has made a representation on 08.04.2024. However, the same was not considered by the respondents. Hence, the petitioner has filed this Writ Petition.

3. Whereas, it is the contention of the respondents in the counter affidavit that the amount has been sent to the office of the Assistant District Regional Officer (Election), Income Tax Department, Tenkasi on 21.03.2024. But the Income Tax Department was not made as a party in this Writ Petition and therefore, the petitioner cannot seek any relief.

4. Considering the same, this Court directs the respondents to give full particulars to the petitioner with regard to the disburse of the amount to the Assistant District Regional Officer (Election), Income Tax Department, Tenkasi, within a period of one week from the date of receipt of a copy of this order. On furnishing the said particulars, liberty is granted to the petitioner to approach the concerned Income Tax Department and file a necessary application for return of the amount by producing all the necessary documents. Based on the order to be passed by the concerned authority, the petitioner can work out his remedy in the manner known to law.



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5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

22.10.2024

NCC : Yes/No
Index : Yes/No

vsm



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N.SATHISH KUMAR, J.

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