



W.P.(MD).No.25829 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25829 of 2024

and

W.M.P(MD) No.21919 of 2024

M.Bakkiyam

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Prohibition Wing,
Virudhunagar District.

2. The Inspector of Police,
Irukankudi Police Station,
Irukankudi,
Virudhunagar District.

... 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 letter passed by the first respondent in C.No.48-1/CONF/DSP/PEW/VNR/2024, dated 01.10.2024 and quash the same as illegal, consequently direct the second respondent to return the petitioner's vehicle namely passion pro bearing Registration No.TN-67-BF 2454 in Chassis No. MBLHAR187HHK09841 and which is recovered by the second respondent in connection with the Crime No.95/2024, dated 13.08.2024 on the file of the second respondent.



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For Petitioner : Mr.G.Thiruvavutselvan
For Respondents : Mr.Vaikkam Karunanidhi
Government Advocate (Crl.side)

ORDER

The present Writ Petition has been filed challenging the show cause notice issued by the first respondent herein, wherein the petitioner has been called upon to show cause why his vehicle cannot be confiscated under the provisions of Tamil Nadu Prohibition Act.

2. Writ Petition, challenging the show cause notice is not maintainable, unless the petitioner questions the jurisdiction of the concerned authority.

3. In view of the above said facts, the petitioner is directed to submit his explanation within a period of four weeks from the date of receipt of a copy of this order and the concerned authority is directed to pass orders on merits and in accordance with law, within a period of four weeks thereafter.



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4. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

28.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Deputy Superintendent of Police,
Prohibition Wing,
Virudhunagar District.
2. The Inspector of Police,
Irrukankudi Police Station,
Irrukankudi,
Virudhunagar District



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