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W.P.No.3808 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.3808 of 2025

K.SASIKUMAR

... Petitioner

Vs

1. THE DISTRICT REVENUE OFFICER
THE COLLECTOR OFFICE,
DHARMAPURI.
2. THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D. CHENNAI,
DHARMAPURI, IN CRIME NO.94/2022

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent herein to forthwith to release petitioner's vehicle bearing Registration No.TN 29BP1830 from their custody on the basis of the petitioner's representation dated 15.01.2025 within the time stipulated by this Court.

For Petitioner : Mr.R.Kisoth Kumar
for Mr.A.Ganesan

For R1 : Mr.R.Murthi
Government Advocate

For R2 : Dr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

The writ petition is filed to direct the first respondent to forthwith release the petitioner's vehicle bearing Registration No. TN 29BP1830.

2. The brief factual background in which this writ petition arises is that the said vehicle was intercepted and found to be illegally transporting essential commodities meant for the public distribution system. Accordingly, a case was registered in Crime No.94 of 2022 under Section 6(4) of the Tamil Nadu Schedule Commodities (Regulation of Distribution of Card System) Order, 1982 and Section 7(i)(a)(ii) of the Essential Commodities Act, 1955.

3. When the matter came up for hearing, the learned Government Advocate appearing for the second respondent would submit that subsequently, a charge sheet was filed and taken on file as C.C.No. 414 of 2024 on the file of the Judicial Magistrate-I, Dharmapuri and the accused had pleaded guilty, been sentenced and released under the Probation of Offenders Act. It was also stated that this vehicle was not produced before the learned Judicial Magistrate and no confiscation proceedings have been initiated till



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date.

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4. In view thereof, the vehicle has to be returned to the petitioner, who is the lawful owner of the vehicle. The writ petition is, therefore, allowed on the following terms:-

(i) Upon production of the web copy of this order, without waiting for the certified copy of this order, the first respondent shall forthwith release the vehicle belonging to the petitioner bearing registration No. TN 29BP1830.

(ii) No costs.

06.02.2025

Neutral Citation: Yes/No
nsl

To

1. THE DISTRICT REVENUE OFFICER
THE COLLECTOR OFFICE,
DHARMAPURI.
2. THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D. CHENNAI,
DHARMAPURI, IN CRIME NO.94/2022.

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D.BHARATHA CHAKRAVARTHY, J.

nsI

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