



W.P.No.5495 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 5495 of 2023

N.Mahalingam

..... Petitioner

Vs

1.The District Collector,
O/o.The District Collector,
Nagapattinam

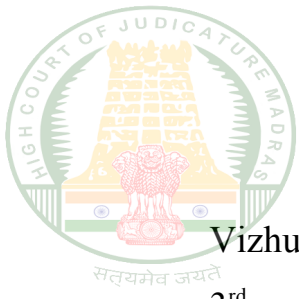
2.The Superintendent of Police,
O/o.The Superintendent of Police,
Velippalayam,
Nagapattinam

3.The Tahsildar,
O/o.The Tahsildar,
Keezhvelur,
Nagapattinam District.

4.The Inspector of Police,
Keelaiyur Police Station,
Keelaiyur,
Nagapattinam District.

..... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st and 2nd respondents to consider the representation made by the petitioner dated 09.11.2022 that to give back the fishing nets to the



W.P.No.5495 of 2023

Vizhunthamavadi village fishermen and take necessary action against the 3rd and 4th respondents.

For Petitioner : Mr.S.Sithirai Anandam
For R1 & R3 : Mr.P.Balathandayutham
Special Government Pleader
For R2 & R4 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction the 1st and 2nd respondents to consider the representation made by the petitioner dated 09.11.2022 for the return of the fishing net belonging to the petitioner.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is an accused in Crime No.299 of 2022 registered for the offences under Section 188, 430 and 201 of IPC on the file of the fourth respondent police. Pursuant to the registration of the FIR, the fishing net of the petitioner was seized by the fourth respondent and the same was deposited before the Judicial Magistrate, Keezhvelur, Nagapattinam District. After completion of the investigation, the fourth respondent filed a final report, which has been taken cognizance in STC



W.P.No.5495 of 2023

No.187 of 2023 and it is pending for trial. Therefore, the petitioner

ought to have filed a petition for return of property.

4. In view of the above, the representation submitted by the petitioner cannot be considered. Accordingly, this Writ Petition stands dismissed. However, if the petitioner files an appropriate petition for return of property before the Trial Court, the Trial Court is directed to consider and dispose of the same on merits and in accordance with law, within a period of two weeks from the date of filing of the such petition. There shall be no order as to costs.

07.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp
To

1.The District Collector,
O/o.The District Collector,
Nagapattinam.

2.The Superintendent of Police,
O/o.The Superintendent of Police,
Velippalayam,



W.P.No.5495 of 2023

Nagapattinam

WEB COPY

3.The Tahsildar,
O/o.The Tahsildar,
Keezhvelur,
Nagapattinam District.

4.The Inspector of Police,
Keelaiyur Police Station,
Keelaiyur,
Nagapattinam District.

5. The Public Prosecutor,
High Court, Madras



WEB COPY



W.P.No.5495 of 2023

G.K.ILANTHIRAIYAN, J.

Lpp

W.P.No.5495 of 2023

07.02.2025