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WP CrI. No. 867 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-09-2025**

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR**

**WP CrI. No. 867 of 2025**

**and**

**WP.MP.CrI.Nos.387, 388 &389 of 2025**

NTR Transport,  
Rep by, Mr. Ragul,  
No.8, South Mathappa Lane  
Kumbakonam - 612001,  
Thanjavur District.

Appellant(s)

Vs

1. The Deputy Superintendent of Police,  
PEW, Tiruvarur District, Tiruvarur.

2.The Inspector of Police  
PEW, Nanilam, Tiruvarur District.

Respondent(s)

**PRAYER**

This Writ Petition has been filed to issue a writ of Certiorarified mandamus to call for the records relating to the proceedings in Na.Ka.No.01-03/Kaa.Thu.Kaa/Ma.Vi.A.Pi/Thiru/2025 and to quash the order of the 1st



respondent dated 05.08.2025 made in the proceedings in Na.Ka.01-03/Kaa.Thu.Kaa/Ma.Vi.A.Pi/Thiru/2025 and consequently direct the respondents to release the vehicle i.e, Mahindra XUV 700 car Bearing registration No.TN-68, AX-7777, Which is under the custody of the respondents.

For Appellant(s): M/s.M.Ganesh

For Respondent: Mr. R. Vinothraja,  
Govt.Advocat (crl.side)  
for R1 & R2

### **ORDER**

This writ of Certiorarified Mandamus has been filed to challenge the confiscation proceedings dated 05.08.2025 passed under Section 14 of the Tamil Nadu Prohibition Act .

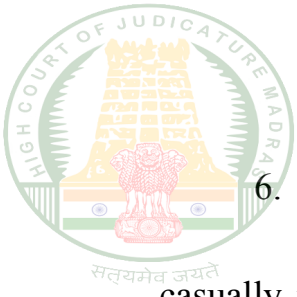
2. Originally, the property seized in a prohibition offence has been directed to be returned to the petitioner by the order of the District Munsif cum Judicial Magistrate, Nannilam, which was challenged by the second respondent before this Court in CrI.R.C.No.864 of 2025.



3. This Court, taking note of the fact that confiscation proceedings had already been initiated, vide order dated 07.07.2025 set aside the order of the learned Magistrate and directed to complete the confiscation proceedings within a period of eight weeks. Pursuant to the same, the confiscation proceedings have now been initiated under Section 14 of the Tamilnadu Prohibition Act . The same has been challenged in this petition.

4. The grievance of the petitioner is that though they filed an appeal challenging the confiscation proceedings before the District and Sessions Judge, Tiruvarur, the same has been returned as not maintainable since the petition seeking relief arose out of the order passed by the High Court, Madras in CrI.R.C.No.864 of 2025. As appeal was returned, the petitioner has no other option except to file a petition before this Court under Article 226 of the Constitution of India.

5. Heard both sides and perused the materials available on records carefully.



6. On perusal, it is seen that the District and Sessions Judge, Tiruvarur casually returned the appeal without going through the relevant provisions of law. Against the confiscation proceedings passed under Section 14 of the Tamil Nadu Prohibition Act, appeal will lie to the Court of Sessions. The appeal should be filed within one month from the date of such confiscation order as per Section 14(5) of the Tamil Nadu Prohibition Act. Therefore, the very order returning the appeal itself is not proper and hence, this Court is inclined to quash the order of return dated 01.09.2025 passed by the Principal District and Sessions Judge, Tiruvarur.

7. Accordingly, the return order dated 01.09.2025 stands quashed. The Principal District and Sessions Judge, Tiruvarur is directed to hear the appeal on merits and pass an order in accordance with law within a period of two months from the date of receipt of a copy of this order.



8. With the above directions, this Writ Petition (crl.) is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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**17-09-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

Note : Issue order copy on 18.09.2025

To

1. The Deputy Superintendent of Police,  
PEW, Tiruvarur District, Tiruvarur.

2. The Inspector of Police  
PEW, Nanilam, Tiruvarur District.



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**N.SATHISH KUMAR J.**

mrp

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