



W.P.(MD).No.14411 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.05.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.14411 of 2025

and

W.M.P(MD)No.10597 of 2025

Suresh

... Petitioner

Vs

1.The District Revenue Officer,
Kanniyakumari District,
at Nagercoil.

2.The Inspector of Police,
CSCID Police Station,
Kuzhithurai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release petitioners Ashok Leyland Dost Ls B.S. III Vehicle bearing registration No.TN 75 X 5289 seized on 28.10.2024, which is in the custody of the respondents by considering the petitioner representation dated 07.05.2025, within the time frame that may be stipulated by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.J.K.Jayaseelan
Government Advocate



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ORDER

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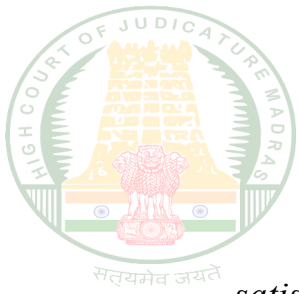
The writ petition has been filed for issuance of writ of mandamus from the respondents to release the petitioner's vehicle viz., Ashok Leyland Dost Ls B.S. III, bearing Registration No.TN-75-X-5289, which was seized by the second respondent on 28.10.2024.

2.Heard the learned Counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents.

3.The Hon'ble Supreme Court of India, in more than one case, has held that detaining vehicles does not serve any purpose and being exposed to rain and sunlight, the vehicles would lose their value. Therefore, I direct the first respondent viz., the District Revenue Officer (DRO) to return the petition mentioned vehicle to the petitioner. Further, the following directions will protect the interest of both parties.

*(a)The petitioner shall deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** before the first respondent within a period of two weeks from the date of receipt of a copy of this order;*

(b) The petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification of the authority;



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(c) *On receipt of payment as stated supra and also on being satisfied with the ownership of the vehicle, the first respondent shall release the subject vehicle forthwith;*

(d) *The petitioner shall not use the said vehicle for any unlawful purpose and also shall not alienate the same during the pendency of the proceedings;*

(e) *It is open to the first respondent to initiate proceedings in accordance with law and pass appropriate orders on merits, within a period of three months from the date of receipt of a copy of this order;*

(f) *If no such order is passed within the time stipulated therein, the amount so paid by the petitioner shall be refunded to him;*

(g) *This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of Criminal Court. If the vehicle is in the custody of the Criminal Court, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law.”*

4. This writ petition is disposed of with the above directions. No costs.

Consequently, connected miscellaneous petition is also closed.

21.05.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR, J.

RJR

To

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Kanniyakumari District at Nagercoil.

2.The Inspector of Police,
CSCID Police Station,
Kuzhithurai,
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