



W.P.(MD) No. 23115 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 23115 of 2025

A.Mubarak Ahamed

... Petitioner

Vs

1. The District Revenue Officer,
Office of the District Revenue Officer,
Ramanathapuram District.

2. State of Tamil Nadu,
Through the Inspector of Police,
Civil Supplies Crime Investigation Department,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the first respondent to release the Ashok Leyland Dost Lorry bearing Registration No.TN 22 DR 5026 seized by the second respondent on 05.03.2023 to the petitioner by considering his representation dated 12.08.2025 and for other such reliefs within the period stipulated by this Court.

For petitioner : Mr. S.Atham Ali



W.P.(MD) No. 23115 of 2025

WEB COPY

For respondents : Mr.D.Ghandiraj
Special Government Pleader for R1
Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side) for R2

ORDER

This Writ Petition is taken up for hearing at the time of admission with the consent of the learned counsel for the petitioner, the learned Special Government Pleader for the first respondent and the learned Government Advocate (Crl.Side) for the second respondent.

2. This Writ Petition has been filed for a Mandamus to direct the first respondent to release the Ashok Leyland Dost Lorry bearing Registration No.TN-22-DR-5026 seized by the second respondent on 05.03.2023 to the petitioner by considering his representation dated 12.08.2025.

3. It is submitted that the petitioner's vehicle bearing Registration No.TN-22-DR-5026 was involved in smuggling of PDS rice and an FIR has been registered in Crime No.19/2023 dated 05.03.2023 for the offences under Section



W.P.(MD) No. 23115 of 2025

6(4) of the Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 and Section 7(1)(a)(ii) of Essential Commodities Act, 1955.

4. It is noticed that the petitioner is not an accused person in the said FIR and it has been registered only against one Senthil Kumar and Mathi.

5. *Prima facie*, there are no indications about the petitioner's involvement in the crime, although the petitioner's vehicle was used for smuggling of PDS rice which has been seized by the second respondent and has been handed over to the first respondent. It is informed that no show cause notice has been issued to the petitioner as well.

6. Considering the same, there shall be a direction to the first respondent to release the vehicle provisionally within two (2) weeks from the date of receipt of a copy of this order subject to the petitioner depositing a sum of **Rs.20,000/-** with the first respondent. Additionally, the petitioner shall pay a sum of **Rs.5,000/-** to ***Dispensary, Madurai Bench of Madras High Court, Madurai, A/c No. 6960810645, Indian Bank, Madurai Bench of Madras High Court, Madurai.***



W.P.(MD) No. 23115 of 2025

WEB COPY

7. Subject to the petitioner depositing the aforesaid amounts within a period of two (2) weeks from the date of receipt of a copy of this order, the subject vehicle shall be released provisionally.

8. It is made clear that Rs.20,000/- to be deposited by the petitioner is without prejudice to the rights of the petitioner and the respondents in the proposed confiscation proceedings and it is subject to adjustment in accordance with confiscation order to be passed by the first respondent.

9. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No

26.08.2025

Internet : Yes / No

apd

To

1. The District Revenue Officer,
Office of the District Revenue Officer,
Ramanathapuram District.

2. State of Tamil Nadu,
Through the Inspector of Police,
Civil Supplies Crime Investigation Department,
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W.P.(MD) No. 23115 of 2025

C.SARAVANAN, J.

apd

W.P.(MD) No. 23115 of 2025

26.08.2025